

ELA NEWSLETTER 1

3 January 2020

LEGISLATION

POLICY

Department of Rural Development and Land Reform - GN 2 in GG 42939 of 3 January 2020 - Draft National Policy for Beneficiary Selection and Land Allocation - for comment

BILLS

Draft Municipal Fiscal Powers and Functions Amendment Bill – Gen Notice 3 in GG 42939 of 3 January 2020 – for comment

Draft Upstream Petroleum Resources Development Bill, 2019 - GN 1706 in GG 42931 of 24 December 2019 - - comments until 21 February 2019

NOTICES

Petroleum Products Act 120 of 1977 - GN R1708 in GG 42934 of 31 December 2019 - Regulations in respect of petroleum products published in GN R1564 in GG 42880 of 3 December 2019 substituted with effect from 1 January 2020

Petroleum Products Act 120 of 1977 - GN R1709 in GG 42934 of 31 December 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R1563 in GG 42880 of 3 December 2019 substituted with effect from 1 January 2020

Petroleum Products Act 120 of 1977 - GN R1710 in GG 42934 of 31 December 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 1 January 2020

PROVINCES

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – Gen Notice 1 in PG 2153 of 2 January 2020 - Standard Draft By-laws - Cemeteries and Crematoria By-law, 2020; Sewage Disposal By-law, 2020; Parks and Recreational Grounds By-law, 2020 and Environmental Health By-laws, 20[20] - for comment

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 306 in PG 4362 of 23 December 2019 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions

Disaster Management Act 57 of 2002 - PN 339 in PG 4363 of 30 December 2019 - Nelson Mandela Bay Municipality - Declaration of a Local State of Disaster in respect of drought and water shortages

Disaster Management Act 57 of 2002 - LAN 310 in PG 4363 of 30 December 2019 - Sarah Baartman District Municipality - Declaration of a Local State of Disaster in respect of drought and water shortages

North West

Spatial Planning and Land Use Management Act 16 of 2013 - PN 229 in PG 8083 of 24 December 2019 - Dr. Ruth Segomotsi Mompati District Municipality Draft Spatial Development Framework – for comment

CASES

International

Massachusetts Lobstermen's Association et al v Ross [Case No 18-5353](#) – Decided 27 December 2019 United States Court of Appeals for the District of Columbia Circuit

“TATEL, Circuit Judge: Acting pursuant to the Antiquities Act, 54 U.S.C. §§ 320301 et seq., President Obama established the Northeast Canyons and Seamounts Marine National Monument to protect “distinct geological features” and “unique ecological resources” in the northern Atlantic Ocean. Proclamation No. 9496, 3 C.F.R. 262, 262 (2017) (“Monument Proclamation”). Several commercial-fishing associations challenged the creation of the Monument, arguing that the President exceeded his statutory authority. The district court disagreed and dismissed the complaint. With a minor alteration, we affirm.”

PUBLICATIONS

National

Gilder A and Rumble O “Evolving African Climate Change Law and Regulation” 2019 [Carbon & Climate Law Review](#) (CCLR) Special Issue 26 December 2019

International

conEdison “Climate Change Vulnerability Study” ([Report](#) December 2019)

2019 *Law in Africa* to be found [here](#)

MUSTec “Lessons from Existing Cooperation Initiatives, Competing Technologies and Concepts” ([Report](#) January 2020)

Ting Ma *et al* “China's improving inland surface water quality since 2003” 2020 6(1) [Science Advances](#) DOI: 10.1126/sciadv.aau3798

Huppert KL, Perron T and Royden LH “Hotspot swells and the lifespan of volcanic ocean islands” 2020 6(1) [Science Advances](#) DOI: 10.1126/sciadv.aaw6906

Bin-Hai Cheng *et al* “Bio-coal: A renewable and massively producible fuel from lignocellulosic biomass” 2020 6(1) [Science Advances](#) DOI: 10.1126/sciadv.aay0748

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Local government**

[News24](#): Visser A “Cities of the future”

- **Water, waste, oceans and chemicals**

[Place](#): Harrisberg K “Flushed with fear: S. Africa's sewage system collapse a 'time bomb'” 24 December 2019

Africa

- **Biodiversity, protected areas and culture**

[Place](#): Farouk MA “Egypt's 'history of humanity' monuments face climate change threat” 20 December 2019

- **Climate change and energy**

[Mail & Guardian](#): Miller P and Curtis M “Revealed: Britain rebuffed Nelson Mandela’s appeal for oil sanctions against Nigeria after it executed environmentalists” 31 December 2019

- **Local government**

[Science](#): Kupferschmidt K “Measles may have emerged when large cities rose, 1500 years earlier than thought” 30 December 2019

International

- **Biodiversity, protected areas, animal rights and culture**

[IISD](#) ENB Video: “2020: The Super Year for Nature and People” December 2019

[The Independent](#): “Ten wildlife success stories to sing about in 2019” 24 December 2019

[Science](#): Voosen P “A warning from ancient tree rings: The Americas are prone to catastrophic, simultaneous droughts” 31 December 2019

[Independent](#): Drury D “Rewilding the UK: movement aims to tackle climate change – by reintroducing bears, wolves and eagles into Britain” 4 January 2020

- **Climate change and energy**

[Who.What.Why](#): Gregston B “Climate Change on Trial: Can the Courts save the Planet?” 23 December 2019

[UNHR](#): “Bachelet welcomes top court’s landmark decision to protect human rights from climate change” 20 December 2019

[Politico](#): O’Leary N “When will the Netherlands disappear?” 16 December 2019

Deep Decarbonization in Action with Resources for Others:

“On Friday, the Green Energy Institute at Lewis & Clark Law School (GEI) joined nearly two dozen other organizations in filing a [petition](#) asking our state environmental agency to develop indirect source rules designed to reduce emissions of black carbon, air toxics, and greenhouse gases. Indirect sources are stationary sites like warehouses and construction sites that attract and aggregate emissions from mobile sources, including heavy-duty trucks and nonroad construction equipment. States have discretion to include indirect source rules in their State Implementation Plans under Section 110 of the Clean Air Act and as a matter of state law. This legal authority is not well used, but in light of the Trump Administration’s efforts to roll back mobile source emissions standards, we think indirect source regulation could be a good tool to amplify.

This petition arose out of the [Legal Pathways to Deep Decarbonization](#) project spearheaded by Michael Gerrard and John Dernbach. I authored the chapter on [black carbon](#), in which the indirect source rule mechanism is discussed. (See also Hannah Chang, Domestic Mitigation of Black Carbon From Diesel Emissions, 41 ELR 10126, 10131 (Feb. 2011).)

GEI then received funding to put together a [legal and policy roadmap](#) to address diesel emissions in the Portland metropolitan region. Written primarily by GEI’s staff attorney, Amelia Schlusser, the roadmap includes useful analysis that covers federal preemption, state preemption, and local authority. Local agencies have started implementing some of our recommendations, and these ideas may be useful for others of you interested in pushing local government action. Although some of the ideas and analysis are unique to Oregon, there are several ideas that could work in many places.

The petition has attracted quite a bit of positive interest, including

- our state DEQ issued a favorable [press release](#);
- 4 local governments submitted a letter of support; and
- news agencies covered the petition submission [positively](#).

If you’re interested, this [site](#) includes the petition and related documents. Under Oregon law, any citizen petition must include the full set of regulatory language that the citizens propose the agency adopt. So, we basically have a set of model rules that you could use as a starting point. (They were derived in part from California’s indirect source rules.) If you have any questions about the rules or the process, please let me know or reach out to [Amelia](#).”

[The Independent](#): Watson P “After two decades of climate science, what have we learnt and what does the future hold?” 23 December 2019

- **Local government**

[Place](#): Asprihanto H and Kapoor K “‘We can't be afraid': Rebuilding in Indonesia's tsunami zone leaves city in peril” 23 December 2019

- **Water, oceans, waste and chemicals**

[New York Times](#): Apuzzo *et al* “Killer Slime, Dead Birds, an Expunged Map: The Dirty Secrets of European Farm Subsidies” 25 December 2019

[The Guardian](#): Hance J “Lethal algae blooms – an ecosystem out of balance” 4 January 2020

- **Miscellaneous**

New York: Environmental Conservation Bill A01564 [signed](#) 23 December 2019 - adds Art 48 §§48-0101 - 48-0113 -

Summary of Bill: “Creates a permanent environmental justice advisory group; provides that the function of the group is to ensure that no group of people, including a racial, ethnic, or socioeconomic group, bears a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies; empowers that advisory group to adopt a model environmental justice policy applicable to state agencies, and to monitor agencies on compliance with such policies; specifies responsibilities of state agencies; establishes an environmental justice interagency coordinating council.”

[Science](#): Reilly S “EPA science advisers slammed the agency for ignoring science. Here is what they said” 2 January 2019

[Science](#): “The science stories likely to make headlines in 2020” 2 January 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Department of Public Law in the Faculty of Law at the University of Pretoria in partnership with the Environmental Law Association of South Africa: Professor James R. (Jim) May, Distinguished professor in Environmental Law, Delaware Law School, Widener University, United States) on "Environmental Rights and Wrongs: Implementing Environmental Constitutionalism"

Date: 27 January 2020 at 12:00

Venue: TBC, Hatfield Campus, University of Pretoria

RSVP: [Juanita Larkin](#) by 20 January 2020

Queries: [Melanie Murcott](#)

IAIAsa Gauteng: Renewable Energy– Save the date

Date: 22 January 2020

Place: Midrand

Time: Morning event ending at lunchtime

More information will follow

IAIAsa Western Cape: A cross-sectoral check-in on tackling the climate crisis – Save the date

Date: 30 January 2020

Time: Late afternoon event.

More information will follow

LaRSSA Wetland Rehabilitation Workshop

Date: 20 February 2020

Place: DEFF, Pretoria

For more information contact the [LaRSSA Administrator](#)

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: 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 2020

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

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

International

2020 AELERT-INECE Conference – Registration Open

Dates: 10-13 March 2020

Place: Adelaide, Australia

INECE [registration](#)

African Centre for Environmental Law & Policy Makerere University: The Myth of Energy, Water & Ecosystems Sustainability in Africa

Dates: 7-8 May 2020 (09:00-15:00)

Place: Imperial Royale Hotel, Kampala-Uganda

Deadline for abstracts: 29 February 2020

More [information](#)

NEWS

National

- **Climate change and energy**

Slabbert A “SA bent over backwards for Eskom’: Nersa heads to court” [City Press](#) 5 January 2020

- **Mining**

Burkhardt P “Govt wants minimum stake in SA's oil and gas projects” [fin24](#) 24 December 2019

- **Miscellaneous**

“Parts of SA battling with low rainfall, while threat of another drought looms – agri economist” [fin24](#) 4 January 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Tairo A “National Parks mark sixty years of conservation success in Tanzania” [eTN](#) 22 December 2019

Duncan C “New species of monkey found in Amazon rainforest after being miscategorised for more than 100 years, scientists say” [The Independent](#) 23 December 2019

Ng K “Ability of re-grown Amazon forest to combat climate change ‘vastly overestimated’, study suggests” [The Independent](#) 23 December 2019

Steinmetz JT “World’s oldest black Rhino dies in Tanzania” [eTN](#) 29 December 2019

Edwards J “The bushfires in Australia are so big they're generating their own weather — 'pyrocumulonimbus' thunderstorms that can start more fires” [Business Insider](#) 30 December 2019

Mosher D “Stunning images from space reveal the shocking extent of Australia's bushfire crisis” [Business Insider](#) 4 January 2020

“Wildlife ravaged by Australia fires could take decades to recover” [News24](#) 4 January 2020

Woodward A “Australia's fires have burned more than twice as much land as the summer's Amazon blazes. They're part of an ominous carbon-dioxide feedback loop” [Business Insider](#) 5 January 2020

“Australia wildfires: Koala 'insurance population' halved by bushfires” [News24](#) 5 January 2020

Ng K “Australia wildfires: Entire species may have been wiped out by inferno, conservationists say” [The Independent](#) 5 January 2020

Greenfield P “Call for drone users and jetskiers to keep away from marine wildlife” [The Guardian](#) 31 December 2019

Carrel S “Protests at plans for salmon farm near Lochranza, on Arran” [The Guardian](#) 31 December 2019

Lusamba J “DC Court of Appeals upholds designation of underwater canyon system as marine national monument” [The Jurist](#) 30 December 2019

- **Climate change and energy**

Bowden J “Trump rails against windmills: 'I never understood wind'” [The Hill](#) 22 December 2019

Jolly J “2020 set to be year of the electric car, say industry analysts” [The Guardian](#) 25 December 2019

“New Austrian coalition govt unveils climate plans, CO₂ price for non-ETS sectors” [Carbon Pulse](#) 2 January 2020

“Queensland govt carbon fund opens first investment round for offset projects” [Carbon Pulse](#) 30 December 2019

“Iran to finalise its next nuclear step” [IOL](#) 5 January 2020

Ng K “Last decade was second-hottest in past 100 years, says Met Office” [The Independent](#) 3 January 2020

Griffen A “More UK energy is coming from clean sources than fossil fuels for the first time ever, National Grid announces” [The Independent](#) 2 January 2020

McCurry J “Fukushima unveils plans to become renewable energy hub” [The Guardian](#) 5 January 2020

Doward J “UK could forfeit security council seat over Chagos Islands dispute” [The Guardian](#) 5 January 2020

McKie R “Britons reach Africans’ annual carbon emissions in just two weeks” [The Guardian](#) 5 January 2020

“Russia announces plan to ‘use the advantages’ of climate change” [The Guardian](#) 5 January 2020

Maas C “Federal judge allows California updated light bulb efficiency standards to take effect” [The Jurist](#) 2 January 2020

- **Local government**

Fernandez C “Air pollution in cities linked to depression, suicide” [News24](#) 4 January 2020

Carrington D “Tougher penalties needed to curb surge in fly-tipping, say councils” [The Guardian](#) 4 January 2020

Carrington D “Revealed: microplastic pollution is raining down on city dwellers” [The Guardian](#) 27 December 2019

- **Mining**

Kuyedzwa C “New threat haunts Zimbabweans panning for gold: Machete wielding gangs” [fin24](#) 4 January 2020

Jolly J “Cutting battery industry's reliance on cobalt will be an uphill task” [The Guardian](#) 5 January 2020

Negron V “Chile environmental court rules against SQM mining corporation” [The Jurist](#) 27 December 2019

- **Water, waste, oceans and chemicals**

Ndhlovu L “‘We pray it rains’: Parched Zimbabwe residents ration to save dwindling water” [IOL](#) 2 January 2020

Malkin E “Mexico rivers turning into ‘slow-motion Chernobyl’ while government stands idle” [The Independent](#) 1 January 2020

Vidal J “The plastic polluters won 2019 – and we're running out of time to stop them” [The Guardian](#) 2 January 2020

Buranyi S “The missing 99%: why can't we find the vast majority of ocean plastic?” [The Guardian](#) 31 December 2019

Beeken E “States file suit against EPA over rollback in waterway protections” [The Jurist](#) 23 December 2019

- **Miscellaneous**

Woodward A “Earth's magnetic north pole is skittering wildly across the Arctic. By 2040, our compasses 'will point eastward of true North,' an expert says” [Business Insider](#) 22 December 2019

Normile D “Novel human virus? Pneumonia cases linked to seafood market in China stir concern” [Science](#) 3 January 2020

“Millions of Zimbabweans pushed into hunger by drought, spiraling economic meltdown” [IOL](#) 3 January 2020

Martin A “The five: missed UK environmental targets” [The Guardian](#) 5 January 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

Shell Legal Counsel

More [information](#)

International

[Director of Global Change Institute](#)

University of Queensland, Global Change Institute

[Tenure-Track Position in International Economic Law](#)

University of Ottawa, Faculty of Law, Common Law Section

[PhD scholarships in Law](#)

University of Copenhagen Faculty of Law

[Postdoctoral Fellowships in Political Philosophy / Legal Theory](#)

University of Oslo

[Faculty Position in Law](#)

Dar Al Uloom University College of Law, Saudi Arabia

[Faculty Positions in Climate Change and Sustainable](#) Development

National Taiwan University

[Professor / Associate Professor of Civil Law](#)

Ajman University College of Law, United Arab Emirates

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 2020 Cohort of its Mentoring for Research Programme

ISNAD-Africa is a youth-led initiative that is 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 a remote technical assistance and capacity development initiative that is 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 the World Bank, Harvard University, United Nations' Economic Commission for Latin America and the Caribbean, Chatham House, World Wild Fund for Nature (WWF) European Union (EU) Joint Research Centre, University College London, McGill University, University of British Columbia, among others in over 50 countries. The mentoring programme helps 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 who are conducting research on sustainable energy, environment and climate change topics in any discipline (Technology, Sciences, Arts, Law, Social Sciences, Environmental Design and Management, Agriculture, Health Sciences, ICT, among others) during the mentoring year. In the commencement of the programme, mentees will be trained via webinars on sustainable energy, environment and climate change with dedicated attention to concerns in the African context.

The [2018 and 2019 Cohorts](#) of the programme supports 57 research students (mentees) from 35 universities in 22 African countries who were selected from

over 600 applicants in more than 150 universities from 35 African countries. The best performing mentees were also awarded Fellowships and [grant](#) for foreign training and conference by our partners in Germany and Canada. Kindly see a [three-minute impact video](#) of the 2018 cohort of the programme. You may also see some [testimonials](#) from the mentees on the programme.

Qualified and interested applicants for the 2020 Cohort of the programme are invited to read the [Call for Applications](#) and submit their applications on or before January 30, 2020 (11:59 GMT).

We welcome experienced researchers and professionals **across the globe** with advanced expertise in all areas of sustainable energy, environment and climate change (in **all disciplines**) to [join our mentors' community](#). Our [Frequently Asked Questions and Answers for Mentors](#) provide detailed information about ISNAD-Africa and the role of mentors on the programme. We will also be happy to provide more information should you require further clarification.

The mentoring programme is also open to institutions and organisations across the globe who will be happy to support the programme as Partners. Kindly contact us via email: adedoyin.adeleke@isnad-africa.org or mobile: [+393470560059](tel:+393470560059).

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

10 January 2020

LEGISLATION

NOTICES

Petroleum Products Act 120 of 1977 - [GN 8](#) in GG 42946 of 10 January 2020 - Draft Guidelines to Applicants for New to Industry Site and Retail Licences - for comment

National Environmental Management Act 107 of 1998 - [GN 9](#) in GG 42946 of 10 January 2020 - Proposed Procedures to be followed for the Assessment and Minimum Criteria for reporting of Identified Environmental Themes in terms of s. 24(5)(a) and (h) when applying for Environmental Authorisation - for comment

PROVINCES

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 - MN 223 in PG 2154 of 9 January 2020 - Ray Nkonyeni and Umuziwabantu Local Municipalities - Intention to appoint members to the Municipal Planning Tribunal (MPT)

KwaZulu-Natal Unauthorised Expenditure Authorisation Act, 2019 - PN 1 in PG 2155 of 9 January 2020 – commenced 9 January 2020

CASES

International

Friends of Buckingham; Chesapeake Bay Foundation, Incorporated v State Air Pollution Control Board et al [Case No: 19-1152](#) United States Court of Appeals for the Fourth Circuit Filed 7 January 2020

“Friends of Buckingham and the Chesapeake Bay Foundation, Inc. (collectively, “Petitioners”) challenge the Virginia Air Pollution Control Board (“Board”)’s award of a permit for construction of a compressor station on behalf of Intervenor Atlantic Coast Pipeline, LLC (“ACP”) in the historic community of Union Hill in Buckingham County, Virginia (the “Compressor Station”). The Compressor Station is one of three such stations planned to support the transmission of natural gas through the ACP’s 600-mile pipeline (the “Pipeline”), which is projected to stretch from West Virginia to North Carolina. Petitioners filed this petition for review against the Board and its

chairman, and the Virginia Department of Environmental Quality (“DEQ”) and its director (collectively, “Respondents”), raising two assignments of error. First, Petitioners contend the Board erred in failing to consider electric turbines as zero-emission alternatives to gas-fired turbines in the Compressor Station. Second, they contend the Board erred in failing to assess the Compressor Station’s potential for disproportionate health impacts on the predominantly African-American community of Union Hill, and in failing to independently evaluate the suitability of that site. As explained below, we agree with Petitioners and vacate and remand to the Board.” In the case the court also stated: “But environmental justice is not merely a box to be checked, and the Board’s failure to consider the disproportionate impact on those closest to the Compressor Station resulted in a flawed analysis.”

PUBLICATIONS

National

2018 24 [South African Journal of Environmental Law and Policy](#) (prescription needed – Juta)

- Du Plessis Anél “The judiciary’s role in shaping urban space in South Africa as per the Sustainable Development goals” 5-43
- Bellengère Adrian and Couzens Ed “The camel at the cutting edge: Animal welfare, environmental law, private prosecution and the three judgments in *NSPCA v Minister of Justice* 44-86
- Van den Berg Angela “Municipal flood management in South Africa: A critical reading of recent case law” 87-118
- Lim Tung Odile “Drought-tolerant GM maize as a climate-smart measure in South Africa: Promises, perils and precaution” 119-154
- Townsend Stephen “The *Qulaidental* and *Gees* judgments: Their impacts on the administration of applications to demolish buildings more than sixty years old” 155-176
- Du Plessis Willemien “Energy efficiency: The progress of policy, legislation and the role of the courts in South Africa” 175-203

Field Tracy Lynn *State Governance of Mining, Development and Sustainability* ([Edward Elgar](#) 2019) – now available

Rumble Olivia “Facilitating African Climate Change Adaptation through Framework Laws” 2019 13(4) [Carbon & Climate Law Review](#) 237-245 DOI <https://doi.org/10.21552/cclr/2019/4/4>

Ashukem Jean-Claude “Land Grabbing and Customary Land Rights in Uganda: A Critical Reflection of the Constitutional and Legislative Right to Land” 2020 27 [International Journal on Minority and Group Rights](#) 121-147 doi:10.1163/15718115-02701003

International

IEA “Coal 2019 - Analysis and Forecasts to 2024” ([Report](#) December 2019) [Source: Legalbrief Environmental 7 January 2020]

TRAFFIC, UNDP-GEF “Countering wildlife trafficking through Tanzania's ports” (Workshop Proceedings December 2019) [Landing page](#) / [report](#) [Source: INECE Newsletter #53 (January 2020)]

Setzer Joana and Byrnes Rebecca “Global trends in climate change litigation: 2019 snapshot Policy [report](#)” (Grantham Institute July 2019) [Source: INECE Newsletter #53 (January 2020)]

Junker KW (ed) *Environmental law across cultures* ([Routledge](#) 2020)

Morman F “*Clean Energy Equity*, 2019 Utah Law Review 335 (2019), <http://ssrn.com/abstract=3295296>

PEEB “Smart and Efficient: Digital solutions to save energy in buildings” ([Report](#) January 2020)

Gerrard Michael B “The Effect of New York's New Climate Law on Municipalities: Deep but Uncertain” 2019 [N.Y. Zoning L. & Prac. Rep.](#) (November/December)

Gerrard Michael B. & McTiernan Edward “New York Environmental Legislation in 2019” 2020 [N.Y.L.J.](#)

Francis Ama “Free Movement Agreements & Climate-Induced Migration” ([Report](#) October 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Mail & Guardian](#): Kings S “Polluting power plant faces closure” 10 January 2020

- **Miscellaneous**

[Webber Wentzel](#): “Reflections on 2019 and key insights for 2020” 9 January 2020

[Mail & Guardian](#): Skiti S “Purge threatens state agency” 10 January 2020

Africa

- **Biodiversity, protected areas and culture**

[allAfrica](#): “Africa: AU Agency Threatens to Report Kenya On the Mau Evictions” 6 January 2020

- **Water, waste, oceans and chemicals**

[Place](#): Wambui C “Water harvesting has added benefit for Kenya: less flooding” 3 January 2020

[Place](#): Ndhlovu L “Zimbabwe's parched Bulawayo rations to save dwindling water” 2 January 2020

[Mail & Guardian](#): Smit S “Water ‘wars’ wash over the world” 10 January 2020 [subscription/newspaper needed]

- **Miscellaneous**

[eTN](#): Ichucha A “Tanzania Indigenous Maasai engage in Responsible Tourism” 9 January 2020

International

- **Biodiversity, national parks and culture**

[Audubon.org](#): Gregg J “10 New Birds described in biggest avian discovery in more than a century” 9 January 2020

[Science](#): Enserink M “Analysis challenges slew of studies claiming ocean acidification alters fish behavior” 8 January 2020

- **Climate change and energy**

[US Committee on Energy & Commerce](#): The CLEAN Future Act (January 2020)

[IISD](#) SDG Knowledge Hub: Mwangi W “Mission Innovation Frames Post-2020 Agenda to Accelerate Clean Energy Access” 7 January 2020

[IISD](#) SDG Knowledge Hub: Kosolapova E “Netherlands Must Prevent Dangerous Climate Change, Dutch Top Court Rules” 7 January 2020

[IISD](#) SDG Knowledge Hub: Mwangi W “CTCN [Publication](#) Explores Role of Technology Transfer in Raising Climate Ambition” 7 January 2020

[IISD](#) SDG Knowledge Hub: Mead L “EU, ACP Countries Strengthen Cooperation to Enhance Ambition Ahead of UNFCCC COP 26” 7 January 2020

[IISD](#) SDG Knowledge Hub: Mwangi W “UNICEF [Report](#) Highlights Impacts of Climate-related Displacement on Children in the Caribbean” 9 January 2020

[IISD](#) SDG Knowledge Hub: Mead L “UNWTO, ITF [Report](#) Calls for Tourism, Transport Sectors to Align Climate Efforts” 9 January 2020

[The Independent](#): Boudry M “The biggest obstacle to effective climate policy is not politics or denialists – it’s human arrogance” 9 January 2020

Podcast: [Lawyers take a stand for renewable energy](#) Yale Climate Connections, January 9, 2020

[Sabin Center](#): Surveys of Climate Change Considerations in EISs

[Harvard Law School](#): McCoy C and Goffman J “EPA’s House of Cards: the Affordable Clean Energy Rule” 22 October 2019

[Science](#): Chemnick J “New Trump rule would allow government to ignore climate impacts of major projects” 9 January 2020

[Science](#): Service RF “Taking a cue from plants, new chemical approach converts carbon dioxide to valuable fuel” 8 January 2020

- **Local government**

[Place](#): Lei Win T “Building an inclusive city in Myanmar, one trash alley at a time” 6 January 2020

[Place](#): Lopez O “A town torn apart: Mexico's indigenous communities fight for autonomy” 2 January 2020

[Place](#): Tabary Z “Factbox-Rising homelessness to ageing population: Five challenges facing cities in 2020” 31 December 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “GEF Council Approves Work Program to Promote Impacts in Cities, Food Systems, Land Use and Restoration” 7 January 2020

Sabin Centre Climate Law Blog: Turner A “[Municipal Natural Gas Bans: Round 1](#)” 9 January 2020

[Place](#): Lanhee Lin J and Shepardson D “Toyota to build prototype city of the future in Japan” 6 January 2020

Podcast: [Cool Cities: A/C Ordinances—The Hot New Trend in Fighting Extreme Heat?](#) People Places Planet Podcast, January 8, 2020

- **Mining**

[Extractives Baraza](#): “India’s Fimi seeks slew of tax incentive for domestic mineral industry” 6 January 2019

- **Water, oceans, waste and chemicals**

[Place](#): Kucukgocmen A and Spicer J “Factbox-Erdogan pushes 'crazy' Istanbul canal dream despite opposition” 27 December 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “Barcelona Convention COP Steps up Action for a Sustainable Mediterranean” 7 January 2020

[IISD](#) SDG Knowledge Hub: Paul D “GWP Initiative to Integrate Water Resilience in Climate and Development Plans” 7 January 2020

[IISD](#) SDG Knowledge Hub: Mead L “SAICM Details Efforts to Reduce Chemicals of Concern in Textiles, Toys, Building Materials and Electronics” 7 January 2020

[The Independent](#): Dalton J “Supermarkets bringing in even more damaging packaging in rush to ditch plastic, study finds” 9 January 2020

[The Guardian](#): Barney L “Welcome to Hawaii's 'plastic beach', one of the world's dirtiest places” 10 January 2020

- **Miscellaneous**

[Place](#): Paglinawan D “Health report confirms air contamination in Toronto subway” 6 January 2020

Florence School of Regulation podcast series on Energy Transition and Climate Change - Listen [here](#) and subscribe to catch the next season.

[Mongabay](#): Tandon A “A dose of eco-optimism: Stories of hope and inspiration in 2019” 31 December 2019 [Source: INECE Newsletter #53 (January 2020)]

[IISD](#) SDG Knowledge Hub: Leone F “Our Top 10 Stories of the Decade: Solutions, Surprises, and Rising Stakes” 7 January 2020

[IISD](#) SDG Knowledge Hub: Leone F “Plans Outlined for SDG Moment, Decade of Action” 7 January 2020

[IISD](#) SDG Knowledge Hub: Kosolapova E “UNECE Countries Renew Commitment to Clean Air for Better Environment and Human Health” 7 January 2020

[NEPA](#): Proposed revisions to the US NEPA regulations (January 2020) – also see [here](#)

Sabin Center Climate Law [Blog](#): Wentz J and Burger M “Five Points about the Proposed Revisions to CEQ’s NEPA Regulations” 10 January 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Department of Public Law in the Faculty of Law at the University of Pretoria in partnership with the Environmental Law Association of South Africa: Professor James R. (Jim) May, Distinguished professor in Environmental Law, Delaware Law School, Widener University, United States) on “Environmental Rights and Wrongs: Implementing Environmental Constitutionalism”

Date: 27 January 2020 at 12:00

Venue: TBC, Hatfield Campus, University of Pretoria

RSVP: [Juanita Larkin](#) by 20 January 2020

Queries: [Melanie Murcott](#)

IAIAsa Gauteng: Renewable Energy

Date: 22 January 2020

Place: Sunset Boma, 79 Main Road (R55), Blue Hills, Midrand

Time: 09:00-13:00

The invitation is available [here](#)

A Map to the venue is available [here](#)

To register for the IAIAsa GP Branch event, follow the [link](#) – Registration closes 20 January 2020 at 17:00 (inform IAIAsa if you can no longer attend)

IAIAsa Western Cape: A cross-sectoral check-in on tackling the climate crisis – Save the date

Date: 30 January 2020

Time: Late afternoon event.

More information will follow

LaRSSA Wetland Rehabilitation Workshop

Date: 20 February 2020

Place: DEFF, Pretoria

For more information contact the [LaRSSA Administrator](#)

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
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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 [RSVP](#)

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 2020

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

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

Kalahari Rehab 2020

Date: 20 March 2020

Place: Kathu, Northern Cape

Contact Glaudin Kruger for more information- Tel 028 316 2905 / [Email](#)

International

IUCN Academy of Environmental Law and Tilburg Sustainability Center Workshop: Enhancing Urban Climate Resilience: The Role of Law

Date: 10 September 2020

Place: Tilburg University, Netherlands

Abstract submission deadline: Monday 2 March 2020

Please submit abstracts of no more than 300 words to [Dr Angela van der Berg](#)

Registration deadline: Monday 3 August 2020 – registration is compulsory, please register [here](#)

For any inquiries, contact [Dr Angela van der Berg](#)

Cities are extremely vulnerable to the impacts of climate change. Climate change affects almost every city in the world, and as a result, climate resilience has become an urgent matter in urban political agendas. Responsive and flexible

adaptation policies are needed to make cities resilient. In order to develop and implement such policies, cities have to rely on an enabling legal framework. In some instances, specific adaptation law does not exist. Cities therefore have to rely on their existing legal instruments such as planning and building regulations, for instance. The question arises whether these existing instruments enable city authorities to adequately promote or enhance climate resilience in their areas of jurisdiction.

The IUCN Academy of Environmental Law, together with the Tilburg Sustainability Center, is hosting a workshop where we aim to critically consider what is required from legal frameworks in order to enable city authorities to promote or enhance climate resilience. The workshop will provide interested participants from academia, practice or government the opportunity to critically question whether cities can rely on existing legal instruments such as planning and building regulations etc. to achieve resilience, or whether a new regulatory framework is needed.

Everyone interested in climate resilience in cities is welcome to attend the event. Persons interested in this topic from a legal or regulatory (also from a multi-disciplinary) perspective are encouraged to submit an abstract.

The workshop is a free event, but registration is compulsory, as space is limited. Please note that refreshments and lunch will be provided. Accommodation and transportation arrangements and costs are, however, the responsibility of attendees.

UF Law's Environmental, Land Use and Real Estate: 26th Annual Public Interest Environmental Conference – Rights of Nature

Place: University of Florida Law Campus in Gainesville

Dates: 6-8 February 2020

For more information and to register visit the [website](#)

Vermont law School: 11th Annual Colloquium on Environmental Scholarship

Place: Vermont

Date: 26 September 2020

More [information](#)

Webinar on Powering Humanitarian Facilities: Dialogue on Implementation Models

When: 23 January, Thursday at 10:30 am CET (check your [local time](#))

Register [here](#)

How can humanitarian agencies move from procure and provide to buying energy as a services? This webinar will shed light on the different models for powering humanitarian facilities with renewable energy. Two case studies will highlight the humanitarian hub powered by renewables in Malakal, South Sudan, and focus on the challenges and lessons learnt from a net metering program in Pakistan respectively. A high-level overview from UNDP will then focus on their contracting methods for implementing solar solutions in humanitarian facilities.

Read more [here](#)

NEWS

National

- **Biodiversity, protected areas and culture**

“Four more arrested for alleged lion bone trade” [TimesLive](#) 8 January 2020
[Legalbrief 9 January 2020]

- **Climate change and energy**

“Eskom is hiding inefficiencies, maladministration from court – Nersa” [The Citizen](#) 7 January 2020

Sguazzin A “Pleading for leniency, Eskom wants to cut emissions by 2035” [fin24](#) 8 January 2020 [Legalbrief 9 January 2020]

Johnston P “Farming in South Africa is under threat from climate change. Here’s how” [Mail & Guardian](#) 7 January 2020

Steyn L “IPPs are ready and able to help plug power shortfall” [BusinessLive](#) 9 January 2020

- **Local government**

Legislation: Comment sought on municipal development charges Bill

“Once in force, a draft Municipal Fiscal Powers and Functions Amendment Bill released this week for comment will empower local authorities to levy development charges on landowners. Not only will this enable municipalities to raise capital for infrastructure development and maintenance; it will go some way towards assisting them in meeting their obligation to subsidise ‘the needs of poor households’.”

Read full report in Legalbrief Policy Watch 9 January 2020

Mkhwanazi S “Municipalities told to collect revenue and curb graft” [IOL](#) 10 January 2020

- **Mining**

Ryan C “Swarm of court cases engulfs former Gupta mines” [Moneyweb](#) 9 January 2020 [Legalbrief 9 January 2020]

- **Water, oceans, waste and chemicals**

Chirume J “Death of children from toxic waste: municipality blames residents for dumping” [GroundUp](#) 8 January 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“Scientists Declare the Chinese Paddlefish Extinct” [Maritime Executive](#) 3 January 2020

Verreynne E “Botswana’s rhinos are under siege: It’s time to learn from historical mistakes” [Daily Maverick](#) 10 January 2020

Jarvis J and Jarvis D “The great dismantling of America's national parks is under way” [The Guardian](#) 10 January 2020

Greenfield P “Flycatchers and fantails: new songbirds discovered on tiny islands” [The Guardian](#) 9 January 2020

- **Climate change and energy**

“Spanish power emissions plummet in 2019” [Carbon Pulse](#) 6 January 2020

“US coal power declines drive 2.1% emission cut in 2019 –report” *Carbon Pulse* 7 January 2020

“Central European voluntary offset vendor accused of selling retired carbon credits” [Carbon Pulse](#) 6 January 2020

“US airline JetBlue to offset all domestic flight emissions” [Carbon Pulse](#) 6 January 2020

“China hints at lower CO2 permit allocations for emitters late to submit data” [Carbon Pulse](#) 9 January 2020

“Oregon lawmakers add industrial exemptions, regional phase-in to renewed ETS legislation –media” [Carbon Pulse](#) 8 January 2020

Wettengel “German Uniper offers to shut old coal plants in return for new station – media report” [Clean Energy Wire](#) 8 January 2020

Marsh A “Climate Threat Spurs Record Sales of Sustainable Bonds and Loans” [Bloomberg](#) 8 January 2020

Wast G “Federal appeals court vacates permit for Atlantic Coast Pipeline” [The Jurist](#) 8 January 2020

Koltonowski A “First Solar agrees to settle \$350 million shareholder lawsuit” [The Jurist](#) 7 January 2020

Osborne S “Grass found growing around Mount Everest as warming climate melts ice” [The Independent](#) 10 January 2020

Holden E “How the oil industry has spent billions to control the climate change conversation” [The Guardian](#) 8 January 2020

Ambrose J “Renewables beat fossil fuels on 137 days in greenest year for UK energy” [The Guardian](#) 7 January 2020

“France to close Havre coal power plant in April 2021” [Reuters](#) 10 January 2020

Not my fault

“California has asked the US District Court for the Eastern District of California to dismiss WCI defendants from a lawsuit filed by the US Department of Justice in Oct. 2019 that challenge’s the state’s cap-and-trade linkage with Quebec. In a filing Monday, the state asked the court to remove ARB Chairperson Mary Nichols, California Secretary for the Environmental Protection Agency Jared Blumenfeld, and WCI board members Kip Lipper and Richard Bloom from the lawsuit. California argues that WCI is a technical advisor for the jurisdictions and is not a party to the linkage agreement, and because it is a private company, the WCI is not bound by

US constitutional requirements related to entering into foreign treaties.” [Carbon Pulse 9 January 2020]

Naughty

The UK government has fined two oil and gas companies nearly £133,000 in total for breaches linked to the EU ETS. Repsol Sinopec Resources UK was hit with a penalty of £96,244 on Dec. 2 last year, while TOTAL E&P UK was fined £36,487 two months earlier - both for violating Regulation 41 of the UK's Greenhouse Gas Emissions Trading Scheme Regulations, which has to do with a company surrendering a sufficient number of carbon units against its emissions output. It was unclear whether Repsol's fine related to its €4 million EU ETS bill that the exploration firm unsuccessfully appealed in court last year. [Carbon Pulse 10 January 2020]

Samios Z and Hornery A “'Dangerous, misinformation': News Corp employee's fire coverage email” [Sydney Morning Herald](#) 10 January 2020

- **Mining**

Corbett J “Climate Watchdog Warns US Fracking Boom Leading to 30% Rise in Greenhouse Gas Emissions by 2025” [Common Dreams](#) 8 January 2020

- **Water, waste, oceans and chemicals**

“Media panned for ‘fake news’ about Vic Falls ‘drying up’” [The Citizen](#) 3 January 2020 [Legalbrief Environmental 7 January 2020]

Gujral Z “US Steelworkers files lawsuit against EPA” [The Guardian](#) 10 January 2020

- **Miscellaneous**

Cossin J ‘Federal appeals court releases \$3.6 billion for border wall’ [The Jurist](#) 9 January 2020

Maas C “Trump administration takes step towards tighter pollution control on trucks” [The Jurist](#) 6 January 2020

Costly D “The blackest city in the US is facing an environmental justice nightmare” [The Guardian](#) 9 January 2020

Cho A “Department of Energy picks New York over Virginia for site of new particle collider” [Science](#) 9 January 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

City of Ekurhuleni: Environmental Legal Advisor: Environmental Resource and Waste Management

Closing date: 20 January 2020

Mining requirements:

- B Degree in Law with specialisation in Environmental Law or relevant NQF Level 7 qualification
- Extensive computer literacy in Word and Excel
- 3-5 years experience in a similar environment

Core Responsibilities

- Render a specialist environmental legal service
 - Maintain strategic relationships on managerial, national and provincial level for purposes of expectation management, knowledge sharing and integration ensuring a common approach to and mechanism for dealing with governance issues
 - Manage and implement the SDBIP of the sub-section including protecting the interest of the City of Ekurhuleni with respect to environmentally sensitive land applications
 - Contribute to Financial Management processes to ensure proper financial management in the division
 - Ensure effective people management
 - Monitor environmental governance and risk management strategies
 - Provide strategic capability and leadership input into the divisional objectives
- Interested candidates whose background and experience match these challenging and exciting positions are invited to apply using an online application form on the City of Ekurhuleni [website](#)

Enquiries: Tel 0860 54 3000 or [email](#)

Candidates may be requested to submit proof of the NQF level applicable to the qualifications they obtained.

Varsity College Sandton: Lecturer: School of Law (x2) - Sandton Campus

Closing date: 24 January 2020

More [information](#)

International

Vermont Law School: Internship and Fellowship Opportunities at CAFS

Closing date: 20 January 2020 or rolling basis

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 3

17 January 2020

LEGISLATION

NOTICES

National Environmental Management Act 107 of 1998 - GN 24 in [GG 42956](#) of 17 January 2020 – Amendment of Financial Provision Regulations, 2015

Mine Health and Safety Act 29 of 1996 - GN 27 in GG 42956 of 17 January 2019
- Guideline for the Compilation of a Mandatory Code of Practice for the Management of Self-Contained Self-Rescuers in Mines - effective 1 July 2020

Mine Health and Safety Act 29 of 1996 - GN 28 in GG 42956 of 17 January 2019
- Guideline for the Compilation of a Mandatory Code of Practice for the Prevention of Flammable Gas and Coal Dust Explosions in Collieries – effective 1 July 2020

Mine Health and Safety Act 29 of 1996 - GN 29 in GG 42956 of 17 January 2019
- Guideline for the Compilation of a Mandatory Code of Practice for the Management of Working in Confined Spaces at Mines - effective 1 July 2020

National Water Act 36 of 1998 - GN 34 in GG 42956 of 17 January 2019 - All water users who are not members of an Irrigation Board or Water Users Association in all water management areas must install water measuring devices for water taken for irrigation purposes and to monitor compliance with Gen Notice 131 in GG 40621 of 17 February 2017

Special Economic Zones Act 16 of 2014 - GN 33 in GG 42956 of 17 January 2020 - Extension of the O R Tambo International Airport Special Economic Zone to incorporate the Tshwane Automotive Hub Special Economic Zone

PROVINCES

Eastern Cape

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 5 in PG 4367 of 13 January 2020
- Amathole District Municipality - Draft District Spatial Development Framework – for comment

Free State

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 177 in *PG* 99 of 17 January 2020 - Setsoto Local Municipality - Draft Land Use Scheme, 2020

Limpopo

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - Proc 1 in *PG* 3058 of 17 January 2020 - Bela-Bela Local Municipality: - Land Use Scheme (LUS), 2019

Limpopo Environment Management Act 7 of 2003 - PN 2 in *PG* 3058 of 17 January 2020 - Draft permit fees for 2020/2021 financial year - for comment

Mpumalanga

Mpumalanga Nature Conservation Act 10 of 1998 - PN 4 in *PG* 3119 of 17 January 2020 - Open Season: Ordinary Game

Northern Cape

Disaster Management Act 57 of 2002 - PN 2 in *PG* 2319 of 17 January 2020 - Declaration of a provincial state of disaster due to drought

Western Cape

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20003 in *PG* 8190 of 10 January 2020 - Bitou Local Municipality - Second draft Spatial Development Framework (SDF) – for comment

CASES

National

Unemployed Peoples Movement v Premier, Province of the Eastern Cape and Others (553/2019) [2020] [ZAECGHC](#) 1 (14 January 2020)

“[84]To finally sum up then, the applicant seeks from this court, firstly, a declarator that Makana is in breach of s 152(1) of the Constitution, in that it has failed to ensure the provision of services to its community in a sustainable manner and has failed to promote a safe and healthy environment. The respondents have not disputed this. ...

[95] The order which I intend making is intended to be both just (in promoting a healthy and cooperative system of checks and balances) and equitable (in attempting to ensure that the relief granted will promote, rather than interfere with good governance in the best welfare interests of the people of Makhanda.

Order of the court:

- A. The conduct of the Makana Municipality (the eighth respondent) in failing to ensure the provision of services to its community in a sustainable manner, in failing to promote a safe and healthy environment for its community, in failing to structure and manage its administration, budgeting and planning processes, in failing to give

priority to the basic needs of its community, and in failing to promote the social and economic development of its community, is inconsistent with the 1996 Constitution of the Republic of South Africa, is in breach of sections 152(1) and 153(a) of the Constitution, and is declared invalid to the extent of these inconsistencies.

- B. It is declared that the jurisdictional facts for mandatory intervention in the *affairs* of Makana Municipality in terms of section 139(5) of the Constitution read with sections 139 and 140 of the Local Government Municipal Finance Management Act 56 of 2003, are present and have consistently been present in the past.”
- C. The court ordered in terms of section 139(5)(a) that the Provincial Executive of the Eastern Cape must implement the existing recovery plan.
- D. The court dissolved the Municipal Council and order the appointment of an administrator.

International

Sheikh Asim Farooq, et al. v. Federation of Pakistan, et al. (HCJ DA 38, on Writ Petition [No. 192069](#) of 2018, Lahore High Court, Judgment given on 30 August 2019)

“Abstract: Members of civil society filed a petition highlighting inactions of the relevant Government Departments (Respondent) for not implementing the laws, policies and strategies regarding protection of the forest of Pakistan and to implement them by passing certain directions to the concerned quarters to perform their duties as per law. The Petitioners filed a constitutional petition seeking, inter alia, a writ of mandamus to the Respondents for the implementation of the Forest Act, 1927 (the Forest Act); the Punjab Plantation and Maintenance of Trees Act, 1974 (the Trees Act); the National Climate Change Policy, 2012; and for enforcement and protection of their fundamental rights. The Court stressed that the principles of international environmental law (e.g. Sustainable Development, Precautionary Principle, Public Trust doctrine, Inter-and Intra-Generational Equity, Water Justice and Food Justice, In Dubio Pro Natura, Polluter Pays) are part of the Pakistani jurisprudence. The Court stated that the Respondents are duty-bound to adhere to their own policies under the doctrine of sovereignty. Further, it allowed the writ of mandamus and directed the Government Departments to do anything they are required by law to do in order to safely manage, conserve, sustain, maintain, protect and grow forests and plant trees in urban cities.

Environmental Legal Questions:

- Is the doctrine of Continuing Mandamus applicable in the instant matter: Continuing Mandamus is a relief given by a Court of law through a series of ongoing orders over a long period of time, directing an authority to do its duty or fulfill an obligation in general public interest, as and when a need arises over the duration a case lies with the Court, with the Court choosing not to dispose of the case in finality. The Court found the doctrine applicable to this Public Interest Litigation case as it refers to a situation which cannot be remedied instantaneously. The Court will continue monitoring its orders, seeking periodic reports on its implementation progress.

- Does any urban tree policy exist in Punjab: The Court concluded that there is no Urban Trees Plantation Policy regarding plantation of trees in urban areas because the current policies only refer to forest land.”

Juliana and Others v United States of America and Others [Case No 18-36082](#)
United States Courts of Appeal for the Ninth Circuit decided 17 January 2020

“Climate Change / Standing: The panel reversed the district court’s interlocutory orders in an action brought by an environmental organization and individual plaintiffs against the federal government, alleging climate-change related injuries to the plaintiffs caused by the federal government continuing to “permit, authorize, and subsidize” fossil fuel; and remanded to the district court with instructions to dismiss for lack of Article III standing. Some plaintiffs claimed psychological harms, others impairment to recreational interests, others exacerbated medical conditions, and others damage to property. Plaintiffs alleged violations of their constitutional rights, and sought declaratory relief and an injunction ordering the government to implement a plan to “phase out fossil fuel emissions and draw down excess atmospheric [carbon dioxide].”

The panel held that: the record left little basis for denying that climate change was occurring at an increasingly rapid pace; copious expert evidence established that the unprecedented rise in atmospheric carbon dioxide levels stemmed from fossil fuel combustion and will wreak havoc on the Earth’s climate if unchecked; the record conclusively established that the federal government has long understood the risks of fossil fuel use and increasing carbon dioxide emissions; and the record established that the government’s contribution to climate change was not simply a result of inaction. The panel rejected the government’s argument that plaintiffs’ claims must proceed, if at all, under the Administrative Procedure Act (“APA”). The panel held that because the APA only allows challenges to discrete agency decisions, the plaintiffs could not effectively pursue their constitutional claims – whatever their merits – under that statute.”

PUBLICATIONS

International

Mormann Felix “Clean Energy Equity” 2019 [Utah Law Review](#) 335

Lucas Gary and Mormann Felix “Betting on Climate Policy: Using Prediction Markets to Address Global Warming” 2019 52 [UC Davis Law Review](#) 1429

2019 [Asian Pacific Journal of Environmental Law](#)

- Couzens E *et al* “Human and environmental rights, protection of biodiversity and marine spatial planning in the Asia Pacific region” (free download)
- O’Donnell E Book review: “O’Byrne K Indigenous rights and water resource management: Not just another stakeholder (Routledge 2010) 272p”

Feichtner Isabel “Mining for humanity in the deep sea and outer space: The role of small states and international law in the extraterritorial expansion of extraction” 2019 32(2) [*Leiden Journal of International law*](#) 255-274 DOI: <https://doi.org/10.1017/S0922156519000013>

Ranganathan Surabhi “Seasteads, land-grabs and international law” 2019 32(2) [*Leiden Journal of International law*](#) DOI: <https://doi.org/10.1017/S092215651900013X>

Craik Neil “The duty to cooperate in the customary law of environmental impact assessment” 2020 69(1) *International and Comparative Law Quarterly* 239-259 DOI: <https://doi.org/10.1017/S0020589319000459>

Setzer Joana and Benjamin Lisa “Climate Litigation in the Global South: Constraints and Innovations” 2019 *Transnational Environmental Law* first view 12 December 2019 DOI: <https://doi.org/10.1017/S2047102519000268>

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

Africa

- **Miscellaneous**

[ThisDay](#): “Ogoni Clean up delayed by Land Disputes, Communal Clashes, says FG” 6 January 2020 [Legalbrief Environmental 14 January 2020]

[Green Originals](#): “Reflections on the modern pioneers of the environmental movement. Today - Wangari Maathai” 17 January 2020

International

- **Biodiversity, national parks and culture**

[IISD](#) SDG Knowledge Hub: Anderson L “Draft Global Biodiversity [Framework](#) Published” 16 January 2020

[The Guardian](#): Phillips D “‘Like a bomb going off’: why Brazil’s largest reserve is facing destruction” 13 January 2020

[The Independent](#): Taschen “In photos: A global exploration of nature-based technology” 13 January 2020

[Science](#): Popkin G “Aphid-munching beetle could help save hemlock forests” 15 January 2020

[Science](#): Clery D “New front emerges in battle to build giant telescope in Hawaii” 14 January 2020

- **Climate change and energy**

[ScottMadden](#): New Research Report on Transmission as the Solution for the Integration of Renewables and Resilience” January 2020

[The Guardian](#): Eric Hilaire “What the five hottest years on Earth look like - in pictures” 15 January 2020

[The Independent](#): Climate crisis: “Top five global risks all linked to environment, says World Economic Forum” 16 January 2020

[Time](#): Nugent C “YouTube Has Been 'Actively Promoting' Videos Spreading Climate Denialism, According to New [Report](#)” 16 January 2020

- **Local government**

[Place](#): Salomon J “Buenos Aires bold slum renewal forges ahead amid hopes and concerns” 8 January 2020

[Place](#): Savage R “London, New York mayors urge cities to divest from fossil fuels” 7 January 2020

- **Mining**

[Extractives Baraza](#): “Chile charges state oil company with improper fracking” 14 January 2020

- **Water, oceans, waste and chemicals**

[Place](#): Chandran R “As flood waters recede, Jakarta residents file lawsuit against governor” 14 January 2020

[Place](#): Chandran R “Salty water in Bangkok is new 'reality' as sea pushes farther inland” 10 January 2020

[Place](#): Gumrukcu T “Turkey says Dutch, Belgian, French firms eye canal plan – Anadolu” 13 January 2020

[IISD](#) SDG Knowledge Hub: Wagner L “Future of the Strategic Approach on International Chemicals Management to be Decided in 2020” 16 January 2020

[IISD](#) SDG Knowledge Hub: Anderson L “Environmental Hazards Feature in 2020 Global Risk Report” 16 January 2020

[IISD](#) SDG Knowledge Hub: Wagner L “Convention on Mercury Takes Steps on Compliance” 16 January 2020

[Place](#): Duguid K “U.S. flood risk model to be publicly available in boon for homebuyers” 14 January 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Leone F “IAEG Proposes 36 Major [Changes](#) to SDG Indicator Framework” 16 January 2020

[IISD](#) SDG Knowledge Hub: Wagner L “Discussion on Environmental Governance and 2030 Agenda Focuses on Synergies” 16 January 2020

[Place](#): Chandran R “India's Dalits protest against plan to develop common land” 17 January 2020

[Science](#): Stokstad E “United Kingdom to embark on ‘agricultural revolution’ in break from EU farm subsidies” 17 January 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa Western Cape: A cross-sectoral check-in on tackling the climate crisis – Save the date

Date: 30 January 2020

Time: Late afternoon event.

More information will follow

Department of Public Law in the Faculty of Law at the University of Pretoria in partnership with the Environmental Law Association of South Africa: Professor James R. (Jim) May, Distinguished professor in Environmental Law, Delaware Law School, Widener University, United States) on "Environmental Rights and Wrongs: Implementing Environmental Constitutionalism"

Date: 27 January 2020 at 12:00

Venue: TBC, Hatfield Campus, University of Pretoria

RSVP: [Juanita Larkin](#) by 20 January 2020

Queries: [Melanie Murcott](#)

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](#)
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- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020

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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 [RSVP](#)

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 2020

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

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

International

IUCN Academy of Environmental Law and Tilburg Sustainability Center Workshop: Enhancing Urban Climate Resilience: The Role of Law

Date: 10 September 2020

Place: Tilburg University, Netherlands

Abstract submission deadline: Monday 2 March 2020

Please submit abstracts of no more than 300 words to [Dr Angela van der Berg](#)

Registration deadline: Monday 3 August 2020 – registration is compulsory, please register [here](#)

For any inquiries, contact [Dr Angela van der Berg](#)

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The IUCN Academy of Environmental Law, together with the Tilburg Sustainability Center, is hosting a workshop where we aim to critically consider what is required from legal frameworks in order to enable city authorities to promote or enhance climate resilience. The workshop will provide interested participants from academia, practice or government the opportunity to critically question whether cities can rely on existing legal instruments such as planning and building regulations etc. to achieve resilience, or whether a new regulatory framework is needed.

Everyone interested in climate resilience in cities is welcome to attend the event. Persons interested in this topic from a legal or regulatory (also from a multi-disciplinary) perspective are encouraged to submit an abstract.

The workshop is a free event, but registration is compulsory, as space is limited. Please note that refreshments and lunch will be provided. Accommodation and transportation arrangements and costs are, however, the responsibility of attendees.

Rocky Mountain Mineral Law Foundation: Annual Water Law Institute Conference

Date: 18-19 November 2020

Place: San Diego, CA, USA

More information will be coming on the RMMLF's conference [website](#)

In addition, if you'd like the RMMLF to e-mail you with additional information, including notices when registration opens and housing becomes available, please e-mail [Jaleen Edwards](#) at so that she can get you on the appropriate e-mail list.

Seventh Annual International and Comparative Urban Law Conference: Call for participation

Dates: 27-28 July 2020

Venue: Technische Universität (TU) Berlin Campus El Gouna, Berlin, 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 [email](#) a proposal of up to 500 words to, 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.

Deadline for proposals: **January 20, 2020**, although earlier submissions are encouraged.

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”

Dates: 15-17 July 2020

Place: University of Queensland, Brisbane, Queensland, Australia on.

Please send your abstracts to j.corrin@law.uq.edu.au (for the attention of Prof Jennifer Corrin) no later than January 31, 2020 (extended deadline).

- [clp-call-for-papers extended deadline.pdf](#) [View Download](#)

CEEW Webinar | Valuing Grid-connected Rooftop Solar

Date: 28 January 2020

Time: 1430-1530 hrs IST

[Registration](#)

NEWS

National

- **Biodiversity, protected areas and culture**

Criminal: Angler warns against illegal gillnets in Kosi Bay

“A Durban angler last week said the Kosi Bay system in northern KZN is under threat of becoming ‘barren’ of life if urgent action is not taken after two illegal gillnets were discovered within the space of a week. According to a report in *The Mercury*, together, the nets measured 4.4km in total. Kosi Bay, located in the

protected area of iSimangaliso Wetland Park and borders Mozambique, is an 18km stretch of estuary comprising four lakes linked by a network of channels well known for its sustainable, ancient fish traps passed down by generations of fishermen in the local community. The angler, who did not want to be named, said he had been visiting Kosi Bay for 30 years and had seen a dramatic increase in the use of gillnets. The angler said in the past they found the odd small primitive net. However, gillnets had recently increased in size and quality. 'I've seen hundreds of gillnets in my life and the quality of the two nets that came out in that week were machine-made. The net is definitely being deployed by a proper boat and not canoes,' he said. The angler was also concerned that the area's traditional kraal fishermen would not be able to survive if the fish were depleted. ISimangaliso spokesperson Bheki Manzini said measures were in place to enforce relevant legislation prohibiting the use of gillnets in the park."

Full report in The Mercury (subscription needed) Legalbrief Environmental 14 January 2020

Conservation: Boulders Beach tourists endangering penguins – NGO

"Tourists and visitors to Boulders Beach are potentially threatening the survival of the penguin colony by overstepping the boundaries instead of maintaining the required 3m distance. According to a *Cape Argus* report, Boulders Beach receives 2 000 visitors daily during the year and during the December/January peak holiday period up to 5 000 visitors enter the site. #SeaTheBiggerPicture organisation co-founder Shamier Magmoet said: 'Tourists are getting unusually close to the penguins, which is prohibited at the site. They're also seen touching the birds and would jump the boardwalk and fences to get a picture with the penguins. This behaviour puts a tremendous amount of stress on a creature that's already an endangered species.' Magmoet said there were limited rangers patrolling the area in comparison to the large number of visitors. SA National Parks spokesperson Lauren Clayton said tourists needed to be at least 2-3m away from the penguins, however, if the birds showed signs of stress, visitors needed to respect them and give them the space they needed."

Full Cape Argus report (subscription needed) Legalbrief Environmental 14 January 2020

- **Climate change and energy**

Bayoglu V "Some tips for Eskom's new boss" [Mail & Guardian](#) 10 January 2020 [Legalbrief 13 January 2020]

West E "Transition to cleaner energy mix will bring economic opportunities" [IOL](#) 17 January 2020

Davie K "Free up energy before the budget" [Mail & Guardian](#) 17 January 2020

Mallinson C "The path to a zero carbon future" [Mail & Guardian](#) 17 January 2020

Bloom K "Renewables vs coal: Timeline of a fatally rigged fight" [Daily Maverick](#) 16 January 2020

Steyn L "Sasol confirms large explosion at Lake Charles project in US" [BusinessLive](#) 14 January 2020

- **Local government**

Carlisle A “Court rules Makana council must dissolve” [Dispatch Live](#) 14 January 2020 [provided by Anel du Plessis]

- **Mining**

Ntsaluba S “Rising violent crime plaguing gold industry deters investors” [BusinessDay](#) 14 January 2020

Ginindza B “Watch: Shootout Between Zama Zamas!” [Daily Sun](#) 17 January 2020

Seccombe A “Glencore warns of up to 665 job losses at Rustenburg Smelter” [Business Day](#) 17 January 2020

- **Water, oceans, waste and chemicals**

Kings S “Oceans heat up to record highs” [Mail & Guardian](#) 17 January 2020

- **Miscellaneous**

“45m people in southern Africa face hunger, Zim hit the worst” [News24](#) 17 January 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Simões E “Brazil Amazon deforestation jumped 85% in 2019 vs 2018: government data” [Reuters](#) 15 January 2020

Readfearn G “Hundreds of thousands of fish dead in NSW as bushfire ash washed into river” [The Guardian](#) 17 January 2020

Zhou N “Australian bushfires from the air: before and after images show scale of devastation” [The Guardian](#) 16 January 2020

Cox L and Evershed N “It's heart-wrenching': 80% of Blue Mountains and 50% of Gondwana rainforests burn in bushfires” [The Guardian](#) 17 January 2020

Kelly L “Floods, road closures in Australia as storms lash some bushfire-hit regions” [Reuters](#) 18 January 2020

Hervey G “Locusts swarm into Kenya as UN warns of 'extreme danger' to food supply” [The Guardian](#) 17 January 2020

“1,000 ancient woodlands at risk of destruction by projects like HS2, conservationists warn” [The Independent](#) 15 January 2020

Greenfield P “UN draft plan sets 2030 target to avert Earth's sixth mass extinction” [The Guardian](#) 13 January 2020

Benassatto L “Brazil's answer to Greta Thunberg wants help protecting Amazon rainforest and its tribes” [Reuters](#) 18 January 2020

Harvey F “Biggest food brands 'failing goals to banish palm oil deforestation'” [The Guardian](#) 17 January 2020

Evelyn K “Huge ‘hot blob’ in Pacific Ocean killed nearly a million seabirds” [The Guardian](#) 16 January 2020

- **Climate change and energy**

“Chile introduces offset provision in updated draft climate change law” [Carbon Pulse](#) 13 January 2020

“New US soil offset protocol seeks simplified approach to additionality” [Carbon Pulse](#) 15 January 2020

“Germany agrees plan to phase out lignite, cancel EU carbon permits” [Carbon Pulse](#) 17 January 2020

“Washington state can implement Clean Air Rule on stationary sources, court rules” [Carbon Pulse](#) 17 January 2020

“California needs to further strengthen its climate policies to reach 2030 goal – report” [Carbon Pulse](#) 16 January 2020

“New York AG Will Not Appeal Exxon Climate Fraud Ruling” [Climate Liability News](#) 13 January 2020

Lyons K “Fiji calls for urgent action on climate crisis as second cyclone hits in three weeks” [The Guardian](#) 17 January 2020

Press Release on the *Juliana*- case [Our Children's Trust](#) 17 January 2020

Terstein Z “Judge writes blistering dissent as kids’ climate lawsuit gets tossed” [Grist](#) 17 January 2020 – read also [The Jurist](#) / [Science](#)

Skahill P “CT taking ‘a serious look’ at exiting regional power market” [CTMirror](#) 16 January 2020

Depetris M and Mantovani C “‘You have not seen anything yet,’ climate activist Greta says ahead of Davos” [Reuters](#) 17 January 2020

- **Local government**

Phillips D “‘It tastes like clay’: residents of Rio alarmed by murky, smelly tap water” [The Guardian](#) 16 January 2020

Barnard A “The \$119 Billion Sea Wall That Could Defend New York ... or Not” [New York Times](#) 17 January 2020

- **Mining**

Dougherty J “Conservation groups attempt to stop fracking on public lands in California” [The Jurist](#) 15 January 2020

Murray J “Activists warn of ‘fracking by stealth’ and call for acid fracking ban” [The Guardian](#) 17 January 2020

Parveen N “New Cumbria coalmine ‘incompatible’ with climate crisis goals” [The Guardian](#) 15 January 2020

“California sues Trump administration over drilling plan” [Reuters](#) 17 January 2020

Mindock C “US coal power plants shut down at near-record rate, despite Trump's promise to save industry” [The Independent](#) 14 January 2020

Stone J “Germany announces timeline for phase-out of coal power plants” [The Guardian](#) 17 January 2020

- **Water, waste, oceans and chemicals**

Kottasová I “Oceans are warming at the same rate as if five Hiroshima bombs were dropped in every second” [CNN](#) 13 January 2020

“Talks to resume over Ethiopia's mega dam” [BBC](#) 10 January 2020 [Legalbrief 13 January 2020]

Marrow A “Russian court halts building of landfill in rare win for environmental protesters” [Reuters](#) 9 January 2020

- **Miscellaneous**

Federman A “Revealed: US listed climate activist group as ‘extremists’ alongside mass killers” [The Guardian](#) 13 January 2020

Chestne N “Green bond issuance hit record \$255 billion last year, research shows” [Reuters](#) 16 January 2020

Inman P “UK green economy has shrunk since 2014” [The Guardian](#) 16 January 2020

Vasovic A “Serbians don masks and take to smog-filled streets to demand cleaner air” [Reuters](#) 17 January 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

Warburton Attorneys: Qualified associated attorney

Warburton Attorneys, based in Rosebank, Johannesburg, has a position available for a qualified associate attorney. The candidate must have at least one year of experience in practice post admission, working as an environmental attorney, as well as excellent drafting skills and must have completed a Masters degree in Law (LLM). Please submit your full CV, academic transcript and motivational letter to [Lulu](#).

Magistrates Commission: Reference 3/2019

Closing date: 24 January 2020

The Magistrates Commission invites applications to fill judicial vacancies in all the provinces.

Duties: Management and control of the administration of justice in the court house, and within the sub-region and administrative region, where applicable. Adjudication of civil, criminal and family law matters. Performance of judicial work at court houses in accordance with section 14(1) of the Magistrates Act, 1993, which includes the promoting of a sound, effective, efficient and uniform case flow management. Training and guidance to all magistrates within the court house, sub-region and administrative region, where applicable. Mentoring of newly appointed Magistrates, where applicable. Regular monitoring of all judicial work to ensure compliance with judicial quality assurance standards, where

applicable. Extensive travel, often on short notice and after official hours, may be required. In filling posts of Heads of Office, preference will be given to serving permanent Magistrates.

The need for the judiciary to reflect broadly the racial and gender composition of South Africa, as required by section 174(2) read with section 9 of the Constitution of South Africa, 1996 (Act 108 of 1996) will be taken into consideration in the short-listing and appointment processes for the filling of the vacant posts. The Magistrates Commission reserves the right not to fill any of the above listed vacancies. It is the intention of the Magistrates Commission to fill posts permanently and applicants should not apply for appointment at any centre if it is not their intention to relocate permanently. Applications must be submitted on the forms prescribed by regulation 4 of the Regulations for Judicial Officers in the Lower Courts, 1994 (Regulation Gazette No. 5264 of 11 March 1994).

For this purpose a specific set of application documents has been compiled which must be obtained from the office of the Secretariat of the Magistrates Commission electronically at any of the following email addresses:

NeWilliams@justice.gov.za; NVanZyl@justice.gov.za;

KhMabunda@justice.gov.za; VManell@justice.gov.za;

HRSecretariatMC@justice.gov.za

General Queries: Mr [M Dawood](#) / (012) 395 0704 or Ms [N van Zyl](#) / (012) 395 0705 Switchboard (012) 325 3951 between 07h15 and 15h45.

**University of the Free State: Faculty of Law School of Financial Planning
Law Senior Lecturer/ Associate Professor/ Professor and Director of the
School Job ID: 3231**

Closing date: 31 January 2020

More [information](#)

International

Research Fellow, Climate Advisers Trust – Washington DC

More [information](#)

[Director of Global Change Institute](#)

University of Queensland, Global Change Institute

[Faculty Positions in Climate Change and Sustainable](#) Development

National Taiwan University

**Summer Internship and Fellowship Opportunities at Vermont Law School's
Center for Agriculture and Food Systems**

- **Summer Honors Internship**

The [Center for Agriculture and Food Systems](#) at Vermont Law School is currently seeking law students for our summer honors intern program from June 1 to August 9, 2020. Interns will receive a \$5,000 stipend to work full-time in CAFS.

Interns may work on projects related to farmland access; food labeling and regulation of novel food products; development of a national food policy in the United States; legal barriers facing food hubs; legal resources for farmers markets; food safety regulations for produce farms; food and agriculture communications; food system equity; and biodiversity and agriculture. Tasks are dependent on project needs and may include legal research, drafting of law and policy documents, conducting original research

in the form of interviews and surveys, drafting case studies, and providing general support.

Vermont Law School's [Summer Session](#) draws visiting faculty and lecturers from around the country and the world. Interns will have the opportunity to meet these scholars in small groups, as well as attend the summer lecture series.

A background in food and agriculture law and policy, public health policy, environmental law and policy, and/or land use policy is preferred; interest in different types of research is required. Proficiency in Microsoft Office (Outlook, Excel, and Word) is required for the position; other skills (video editing, photography, graphic design) are a bonus.

To apply, please submit a cover letter, resume, academic writing sample of no more than 5 pages, and unofficial academic transcript to [Claire Child](#), using the subject line "CAFS summer honors internship application."

The application deadline is **January 20, 2020**, however applications will be accepted on a rolling basis.

- **Food and Agriculture LLM Fellowship**

The [Center for Agriculture and Food Systems](#) at Vermont Law School invites applications for a two-year Food and Agriculture Fellowship beginning in August 2020. The Fellowship includes a tuition waiver and a stipend; visit [Admissions](#) for more details and application instructions.

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

24 January 2020

LEGISLATION

NOTICES

National Environmental Management Act 107 of 1998 - GN 40 in GG 42967 of 24 January 2020 - Amendments to Section 24H Registration Authority Regulations, 2016 - for comment [also sent in separate email]

Gas Regulator Levies Act 75 of 2002 - GN 47 in GG 42970 of 23 January 2020 - Levy and interest payable on the piped-gas industry for the 2019/20 financial year

Natural Scientific Professions Act 27 of 2003 – Gen Notice 17 in GG 42967 of 24 January 2020 - Schedule I (Fields of Practice) substituted

National Environmental Management: Protected Areas Act 57 of 2003 - GN 43 in GG 42967 of 24 January 2020 - Internal rules of protected areas managed by Ezemvelo KZN Wildlife (the KwaZulu-Natal Conservation Board)

Petroleum Pipelines Levies Act 28 of 2004 - GN 48 in GG 42970 of 23 January 2020 - Levy and interest payable on the petroleum pipeline industry for the 2019/20 financial year

National Energy Regulator Act 40 of 2004 - GN 46 in GG 42970 of 23 January 2020 - National Energy Regulator of South Africa (NERSA) - Public hearings on Eskom's Regulatory Account Application for 2018/19

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 21 in GG 42972 of 24 January 2020 - Exemption of geographic area of the province of the Western Cape from the provisions of s. 43 (2) published in terms of s. 55 of the Act

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 11 in GG 42962 of 20 January 2020 - Draft National Spatial Development Framework in terms of s. 13 (4) of the Act – for comment (find also [here](#))

PROVINCES

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 8 in *PG* 4370 of 20 January 2020 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions

Free State

Disaster Management Act 57 of 2002 - PN 100 in *PG* 101 of 24 January 2020 - Declaration of a provincial state of drought disaster

Mpumalanga

Spatial and Land Use Management Act 16 of 2013 - PN 10 in *PG* 3120 of 24 January 2020 - Thaba Chweu Local Municipality - Municipal Planning Tribunal members

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 13 in *PG* 8086 of 21 January 2020 - Ngaka Modiri Molema District Municipality - Draft Spatial Development Framework 2020 – for comment

North West Business Licensing Act 3 of 2019 - PN 9 in *PG* 8088 of 23 January 2020 - Draft North West Business Licensing Regulations, 2019 - for comment

North West Parks and Tourism Board Bill, 2019 - PN 10 in *PG* 8088 of 23 January 2020 – Bill and memorandum - for comment

Western Cape

Draft Western Cape Provincial Transport Infrastructure Bill, 2020 - PN 1 in *PG* 8192 of 22 January 2020 – Bill and memorandum – for comment

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 20022 in *PG* 8193 of 24 January 2020 - Oudtshoorn Local Municipality - Draft Municipal Spatial Development Framework (MSDF) – for comment

CASES

International

State of Louisiana v United States of America [Case No 19-30213](#) United States Court of Appeals of the Fifth Circuit Decided 21 January 2020

“Louisiana filed suit against the United States, alleging that the Corps failed to maintain the Gulf Intracoastal Waterway in compliance with the River and Harbor Improvements Act.

The Fifth Circuit affirmed the district court's dismissal of the complaint and held that Louisiana failed to satisfy the requirements for the waiver of

sovereign immunity under section 702 of the Administrative Procedure Act, because the state did not challenge agency action and the state's alleged injury did not fall within the zone of interests of the River and Harbor Improvements Act. The court also held that the state's failure to act claim was not subject to judicial review under the APA because the Corps is not legally required to preserve and/or maintain the Gulf Intracoastal Waterway at a certain width. Therefore, the state's complaint was properly dismissed based on lack of subject matter jurisdiction.” [Justia Opinion Summary]

PUBLICATIONS

National

Gebrehiwot Tigist, Cornelius Steve and Korsten Lise "Impact of global food and agriculture laws on Africa's food security" 2019 52 *De Jure* <http://dx.doi.org/10.17159/2225-7160/2019/v52a5>

SANBI "National Biodiversity Assessment 2018 The status of South Africa's ecosystems and biodiversity" ([Report](#) 2019)

CSIR Energy Centre "Setting up for the 2020s Addressing South Africa's electricity crisis and getting ready for the next decade" ([Report](#) Pretoria January 2020)

Department of Environmental Affairs "[Guideline](#) to Inform Decisions on the Establishment of Anti-Poaching Related Systems and Services" (Pretoria January 2020)

Everatt KT *et al* "Evidence of a further emerging threat to lion conservation; targeted poaching for body parts" 2019 28(14) [Biodiversity and Conservation](#) 4099–4114

International

Global Economic Forum "The Global Risks [Report](#) 2020" 15th edition (January 2020)

Human Rights Watch "World [Report](#) 2020" (January 2020)

Avoyan E and Meijerink S "Cross-sector collaboration within Dutch flood risk governance: historical analysis of external triggers" 2020 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1707070>

Kumar D, Bassi N and Singh O "Rethinking on the methodology for assessing global water and food challenges" 2020 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1707071>

Stec S and Jendrośka J "The Escazú Agreement and the Regional Approach to Rio Principle 10: Process, Innovation, and Shortcomings" 2019 31(3) *Journal of Environmental Law* 533–545 <https://doi.org/10.1093/jel/eqz027>

Oki T and Quioko R “Economically challenged and water scarce: identification of global populations most vulnerable to water crises” 2019 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1698413>

Blumm MC and Wolfaard R “Revisiting Background Principles in Takings Litigation” 2019 71(5) [*Florida Law Review*](#)

Invitation to book contribution on Palgrave Handbook of Climate Resilient Societies, a Major Reference Work published by Palgrave Macmillan, Springer Nature

Expert contributors are welcome to propose a chapter on energy-related issues (10,000 words). Themes covered include energy.

Chapters, of a tertiary nature (Major Reference Works provide important overviews of topics and issues), can be authored, or co-authored with expert colleagues, with a word count of 10,000 words.

The deadline for a chapter submission is between now and mid-2021. There is no fee to publish.

The [link](#) to the Climate Resilient Societies Major Reference Work

Roxana Mastor *et al* “Energy Justice and Climate-Refugees” 2018 39 [*Energy Law Journal*](#) 139-172

Topping CJ, Aldrich A and Berny P “Overhaul environmental risk assessment for pesticides” 2020 367(6476) [*Science*](#) 360-363 DOI: 10.1126/science.aay1144

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Daily Maverick](#): Shapiro T “This weekend we’re watching: A more sustainable world” 24 January 2020

- **Mining**

[Daily Maverick](#): Ledwaba L “Bidding farewell to the gods as village makes way for mine” 24 January 2020

Africa

- **Climate change and energy**

[The Guardian](#): Carrington D “‘Hypocrisy’: 90% of UK-Africa summit’s energy deals were in fossil fuels” 24 January 2020

[The Guardian](#): Ambrose J “UK could tap into Africa’s \$24bn market for off-grid solar power” 21 January 2020

- **Local government**

[ICLEI](#): “Inspired plans emerge when officials are given the chance to dream up a climate-proofed city” 12 December 2020

[ICLEI](#): Vigran D “How Lilongwe’s bats are contributing to national biodiversity planning” 22 January 2020

- **Mining**

[Extractives Baraza](#): “Egypt signs 9 agreements for oil, gas exploration worth \$452m” 21 January 2020

[Extractives Baraza](#): “Political meddling is killing the local mining industry” 21 January 2020

- **Miscellaneous**

[Place](#): Taylor L “Out of court: Ugandans turn to 'barefoot lawyers' to settle land disputes” 23 January 2020

[IISD](#) SDG Knowledge Hub: Ledaba AM “Namibia Case Study Highlights Importance of Data Policy Alignment for SDG 16.9” 23 January 2020

[BBC](#): “The rise of organic farming in Africa” 24 January 2020

International

- **Biodiversity, national parks and culture**

[Place](#): Boadle A “Brazil's indigenous to sue Bolsonaro for saying they're 'evolving'” 24 January 2020

[Place](#): Tabary Z “In vanishing portraits, artist urges world leaders to protect indigenous tribes” 21 January 2020

[Place](#): Lei Win T “Forest monitoring gets a boost from Japanese space agency data” 23 January 2020

[IISD](#) SDG Knowledge Hub: Anderson L “WEF and PwC [Report](#) Makes the Business Case for Nature” 23 January 2020

[The Guardian](#): “Phillips D “Cacao not gold: ‘chocolate trees’ offer future to Amazon tribes” 25 January 2020

[The Guardian](#): Randall C “A rewilding triumph: wolves help to reverse Yellowstone degradation” 25 January 2020

[Mongabay](#): Singh G “Unknown saviors of the environment: Thirty-five men create a forest from barren land” 24 January 2020

- **Climate change and energy**

Florence School of Regulation’s [podcast](#): Agnes da Costa (Director, Brazilian Ministry of Mines and Energy) discusses Brazil’s long history of renewable energy development

[Twitter](#) John Knox: On Climate Refugees cannot be sent home (January 2020); read also [The Independent](#)

[Place](#): Groom N “California sues Trump administration over drilling plan” 17 January 2020

[IISD](#) SDG Knowledge Hub: Hageneder C “Buildings and Construction: A Sleeping Giant for Climate Action” 23 January 2020

Environmental Law Prof [Blog](#): Blumm M and Wood M “Youth Plaintiffs To Seek Full Ninth Circuit Review of Climate Case” 21 January 2020

[The Conversation](#): Wood M and Blumm M “The dramatic dismissal of a landmark youth climate lawsuit might not close the book on that case” 23 January 2020

[The Independent](#): Dowling P “Senegal: Emerging from conflict, now fighting climate” 25 January 2020

[The Independent](#): Freedman A “Australia fires: Yearly greenhouse gas emissions nearly double due to historic blazes” 25 January 2020

[The Independent](#): Ng K “Al Gore compares climate change to Dunkirk, Agincourt, and 9/11: ‘We have to rise to this occasion’” 23 January 2020

[The Guardian](#): Van der Voo L “‘Kids are taking the streets’: climate activists plan avalanche of events as 2020 election looms” 25 January 2020

[EcoWatch](#): “To Fly or Not to Fly? The Environmental Cost of Air Travel” 25 January 2020

[IISD](#) SDG Knowledge Hub: Leone F “Economic Risks in 2020 Call for Global Energy Shift: UN [Report](#)” 23 January 2020

- **Local government**

[ICLEI](#) City Talk Blog: Vigran D “Three stories for local governments to watch in 2020” 22 January 2020

[ICLEI](#): “Six European cities use artificial intelligence to move toward carbon neutrality” 15 January 2020

[The Independent](#): Tam S “Hong Kong's tranquil borderlands: A look at the two systems that coexist” 19 January 2020

- **Mining**

[Extractives Baraza](#): “China finds oil in Asia’s deepest onshore well” 21 January 2020

[Extractives Baraza](#): “Britain to scrap foreign aid for coal mining abroad” 21 January 2020

[The Independent](#): Giordano C “UK funding overseas fossil fuel projects emitting millions of tonnes of emissions, investigation finds” 24 January 2020

- **Water, oceans, waste and chemicals**

[Science](#): Cornwall W “To replace controversial plastic additive BPA, a chemical company teams up with unlikely allies” 23 January 2020

[The Independent](#): “Nuclear waste recycled into diamond batteries with ‘near-infinite power’” 24 January 2020

[The Guardian](#): Michaelson R and Van der Zee B “How the Middle East's water shortage drives demand for live animal imports” 23 January 2020

[EcoWatch](#): “One of Our Most Important Environmental Laws Just Turned 50—Cue Trump Attacking It” 18 January 2020

- **Miscellaneous**

Environmental Law Prof [Blog](#): Owen D “What Do Farmers Actually Get from the New WOTUS Rule?” 23 January 2020

[The Independent](#): Tsouvalis J and Little R “The new agricultural bill could be ‘one of the most significant pieces of legislation for farmers in England for over 70 years.’ What does it mean?” 23 January 2020

[Forbes](#): “Reducing Environmental Impact Is Now A Business Imperative” 22 January 2020

[Bnamerica](#)s: “Investors increasingly emphasize environmental sustainability” 24 January 2020

Columbia University [State of the Planet](#): Kirk R “Tackling Environmental Dilemmas Requires Integrating the Legacy of Colonialism” 24 January 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Department of Public Law in the Faculty of Law at the University of Pretoria in partnership with the Environmental Law Association of South Africa: Professor James R. (Jim) May, Distinguished professor in Environmental Law, Delaware Law School, Widener University, United States) on "Environmental Rights and Wrongs: Implementing Environmental Constitutionalism"

Date: 27 January 2020 at 12:00

Venue: Conference Centre 1-17 on the Hatfield Campus, University of Pretoria

RSVP: [Juanita Larkin](#) for last minute RSVPs

Queries: [Melanie Murcott](#)

IAIAsa North-West branch seminar

Date: 13 February 2020

Note: The event is registered with SACNASP for CPD recognition

Please use this [link](#) to register

For more information, you are welcome to contact [Claudine Roos](#)

NWU / Konrad-Adenauer Stiftung (KAS) colloquium on the calculation of compensation

Date: 6 February 2020

Place: [Potchefstroom](#)

The focus of the workshop is to find useful, practical methods to give content to “just and equitable” compensation, as far as possible, in specific instances.

The Final Report of the Presidential Advisory Panel on Land Reform and Agriculture proposes that land acquisition for purposes of land reform, whether through agreement of compensation, should be based on a new compensation

policy and not based on market value, but rather in line with the Constitutional requirement of “just and equitable” compensation. This policy should be promulgated as regulations to the Expropriation Act, and should outline the spectrum, ranging from zero compensation to minimal compensation, to substantial compensation, to market-related compensation. The idea is that a “typology of situations” be outlined, to indicate how compensation should be approached in each.

This one-day colloquium (you can find the draft program [here](#)) will bring together valuers, economist and legal researchers working on the area of property valuation, compensation and expropriation. The aim is to provide evidence-based research to inform the content of such a policy. While hoping to draw from academic and other research on this topic, the colloquium is not purely academic in nature, and can benefit from constructive discussion and dialogue.

There is no registration fee, but please register [here](#) for catering purposes

NWU CEM Courses

- CEM-02.1.1 Environmental law
Dates: 23 - 27 March 2020

For more information contact Rosy Moloto (018) 299 2725 / Nonzuzu Seleka (018) 299 1470

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 [RSVP](#)

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 2020

Time: 15:00-16:30 followed by drinks and canapés

Venue: Webber Wentzel Offices | 15th Floor | Convention Tower | Heerengracht | Foreshore | Cape Town

[RSVP](#)

Webber Wentzel, Fraser Alexander & Knight Piesold: Networking breakfast & live panel discussion

Date: 4 February 2020

Time: 07:30-09:00

Venue: The Southern Sun Cape Sun, 23 Strand St, Cape Town City Centre

Registration and more [information](#)

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

The world is confronting immense challenges that place strain on people's way of life, legal systems and domestic mechanisms of governance. Although these challenges occur worldwide, they often impact most severely on people living in the Global South. They include climate change leading to crippling droughts, floods, bushfires and rising sea levels; sustainability; poverty and inequality; gender-based violence; state-based corruption and poor governance; the confiscation of indigenous lands; conflicts, including over land, the sea and natural resources; the dislocation and isolation of populations consequent upon these phenomena; human mobility; rampant xenophobia and racism; and widespread human rights violations. Untold pressure is placed on domestic institutions responsible inter alia for health care, education, housing, social welfare, and social protection, and concerns are raised about the rule and role of law, governance, and individual well-being. Scholars of law and development are justifiably concerned about these global realities, to be addressed as the Network's annual conference takes place for the first time in the Global South.

The 5th Annual Conference of the LDRN will explore the meaning, causes and consequences of the challenges identified and seek to identify appropriate responses from legal systems and Law and Development researchers and practitioners. Participants are invited to contribute to two specific tracks.

The first track confronts the conceptual challenges in Law and Development scholarship. Participants are invited to consider how Law and Development can respond to the global challenges to ensure the field's continuing viability and relevance. Additionally, are there separate southern and northern perspectives on Law and Development? How do we overcome the tension between such perspectives for the benefit of the global good?

The second track of the conference invites participants to consider the more specific global challenges facing Law and Development scholars and practitioners, divided into six sub-streams, as follows:

- Governance, human rights, and the rule of law – specifically, the protection of the rights to equality and dignity; the advancement of socio-economic rights, mainly in the Global South; the balance between civil, political and social rights; and the impact of poor governance and corruption on development and the rule of law.

- Environment, the law of the sea and development, sustainable development and climate change – participants are asked to consider the responses required to address the global environmental challenges identified in the call.

- Land – the protection of land rights; access to land; land reform; land conflicts; and the land rights of indigenous persons in both domestic and international law.

- Human mobility – participants are encouraged to consider the impact of human mobility on both domestic governance and dislocated peoples and to explore appropriate legal responses.

- Social protection – recognised in its extensive sense, as an issue of critical concern to societies both in the Global South and North, with participants considering the need for innovative approaches.

- International economic law and development finance – participants are asked to explore key challenges in international economic law and development finance and the responses needed to address poverty and inequality in the Global South. As in prior conferences, we aim to promote a dialogue between scholars and practitioners from the Global South and North and especially welcome participants from the Global South.

Submissions: We invite proposals for individual papers or panels on any topic or theme in the two tracks. Proposals for panel discussions should indicate potential participants. Proposals should contain an abstract of 200-300 words. Book launch panels are also invited.

Deadline: Proposals and expressions of interest should be submitted by 9 March 2020 – in accordance with the formats described on the conference website [forthcoming].

Contact: Please submit your submissions via the landing page on the conference website. Questions may be addressed via the website or to Tanya.Stephens@mandela.ac.za [from 1 February 2019] or Joanna.Botha@mandela.ac.za

Travel Stipends: A limited number of travel stipends for speakers based in the Global South are available. Applications should be submitted with proposals for papers or panels in accordance with the criteria published on the conference website.

Decisions on papers and panels will be announced by 30 April 2020.

For Further Information on conference themes, submissions and stipends see the conference website [forthcoming].

International

IUCN Academy of Environmental Law and Tilburg Sustainability Center Workshop: Enhancing Urban Climate Resilience: The Role of Law

Date: 10 September 2020

Place: Tilburg University, Netherlands

Abstract submission deadline: Monday 2 March 2020

Please submit abstracts of no more than 300 words to [Dr Angela van der Berg](#)

Registration deadline: Monday 3 August 2020 – registration is compulsory, please register [here](#)

For any inquiries, contact [Dr Angela van der Berg](#)

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

Abstracts: 1 March 2020

More [information](#)

Webinar: IEA SHC Solar Academy on Task 59: Renovating Historic Buildings towards Zero Ene

Date: 28 January 2020

Time: 12:00 to 13:30 (GMT/UTC)

The International Solar Energy Society is pleased to host the first webinar of the IEA SHC Solar Academy Solar Academy for 2020 on the IEA SHC Task 59: Renovating Historic Buildings towards Zero Energy.

Task 59 addresses the renovation of historic buildings, increasing their comfort whilst significantly bringing down the buildings energy demand and CO2 emissions as well as keeping their characteristic values. Given the unique character of each of the buildings, a “standard solution” to fit every case cannot be identified, yet Task 59 combines considerable experience on specific cases available, which need to be evaluated, exploited and promoted.

In this webinar, you will be guided through real world renovation experiences - by building owners and design teams, who express their needs, concerns and experiences and the Task 59 experts who introduce the diverse tools which can help you in the decision and design process of an exemplary historic building energy retrofit project.

Q/A Session: The 90-minute webinar will include a 30 minutes Q/A session for the audience.

The webinar is organized by the Solar Academy of the IEA SHC Programme and hosted by ISES, the International Solar Energy Society.

Register for the webinar [here](#)

Oxford University free lecture: The role of evidence in regulating major wind energy infrastructure

Date: 6 January 2020

Time: 18:00

Place: RICS, 1 Parliament Square, London

This year Professor Yvonne Rydin, Chair of Planning Environment and Public Policy at The Bartlett School of Planning, will speak to the title: --Planning for sustainability? The role of evidence in regulating major wind energy infrastructure--

Drawing on research into the planning regime for regulating major infrastructure, this lecture will consider how evidence on environmental and other impacts enters into decision-making on major offshore wind farms. The lessons of this research also addresses broader questions on how planning regulation works and how it can deliver on sustainability.

This free lecture is open to all and will be followed by a reception at RICS.

To book your place, visit [here](#)

2020 AELERT-INECE Conference

Date: 10-13 March 2020

Place: Australia [Programme](#) available

International Student Summit on Climate

Date: in July 2020

Place: Université Laval (in Quebec, Canada)

A world first, the UniC2020 Summit will bring together for four days some 300 young students and graduates from around the world, selected for their commitment towards climate action. In addition to the sharing and networking aspects at the Summit, participants will have the opportunity to collaborate through concrete initiatives via the upcoming International Student Climate Network.

More information [here](#)

3rd Just Transition Conference: Just Transition to a Low Carbon Economy

Dates: 15-16 April 2020

Venue: Royal Society of Edinburgh

Deadline for Submissions: 30th January – Informed by the 7th February

[Email](#) submissions

All submissions related to the Topic of the Just Transition to a Low Carbon Economy will be accepted

We aim to unite all researchers working on the Just Transition to a Low Carbon Economy – for more see the [paper](#).

The conference is co-organised by more than several universities from across the world: University of the West Indies, Monash University (Australia), Vermont Law School (US), University of Dundee (UK) and others

Queries: [Prof Raphael J Heffron](#)

Climate Justice Webinar: What Migration Means for Labor and Communities

Date: 31 January 2020

Time: 02:00 PM in Eastern Time (US and Canada)

[Registration](#) and more information

NEWS

National

- **Biodiversity, protected areas and culture**

Environmental: Anti-poaching unit guidelines published

“Recently published guidelines on establishing an anti-poaching unit on a wildlife park or reserve are not intended as a substitute for professional advice from engineering, enterprise architecture, legal and project management experts among others. They include guidance on assessing the threat posed by poaching in the context of existing site-specific deterrents; designing an anti-poaching system and implementing unit; evaluating and selecting ‘appropriate anti-poaching technologies’; and securing donor funding.”

Read full report in Legalbrief Policy Watch Legalbrief Environmental 21 January 2020 [See also Publications]

Alfreds D “Graphic Pics | Shock at horrendous parrot deaths in Randburg house” [News24](#) 23 January 2020

- **Climate change and energy**

Machanick P “Eskom: South Africa can learn from Australia’s mistakes before it too burns” [Mail & Guardian](#) 22 January 2020 [Legalbrief 24 January 2020]

Du Toit P “Gordhan: You are paying 4 times more for electricity because of stealing at Medupi and Kusile” [fin24](#) 22 January 2020 [Legalbrief Forensic 23 January 2020]

“Urgent decisions needed to address substantially worsening electricity outlook, CSIR warns” [Engineering News](#) 21 January 2020 [Legalbrief 23 January 2020]

Yeld J “Huge West Coast wind farm approved” [GroundUp](#) 21 January 2020

Smith C “Stifling Section 12J investment is a bad move, warn experts” [fin24](#) 25 January 2020

Jonker J “Eskom’s troubles laid bare” [City Press](#) 24 January 2020

Turner K-J “Watch: Cape scientist says this is the decade to tackle climate change” [IOL](#) 24 January 2020

Sidimba L “Nersa to hold public hearings on Eskom tariff hikes” [IOL](#) 25 January 2020

- **Local government**

Development: UK to invest in green cities in Africa

“The UK has pledged new aid towards building green cities across Africa. The announcement by the UK Department for International Development came as its head, Alok Sharma, visited Kenya ahead of the UK-Africa investment summit in London last week. According to a Cape Times report, he said he would set up the UK Centre for Cities and Infrastructure, aiming to spur investment in fast-growing cities in the developing world. The centre would provide expertise to African governments and city authorities to improve the way cities were planned, built and run. The focus is to make cities more environmentally friendly.”

Full Cape Times report (subscription needed) [Legalbrief Environmental 21 January 2020]

Van Schalkwyk C and Sofianos C “Why Makhanda residents are taking their municipality to court” [GroundUp](#) 24 January 2020

Nowicki L “Rondebosch golf club: City of Cape Town accused of subsidising the wealthy elite” [GroundUp](#) 23 January 2020

Spaull N “Putting golf club needs before social housing is one way the rich fail the poor” [BusinessDay](#) 22 January 2020 [Legalbrief 24 January 2020]

Chirume J “Children use electricity pylon as jungle gym” [GroundUp](#) 22 January 2020

Duval M “Locals accuse film crew of 'ruining' Cape beach” [IOL](#) 24 January 2020

- **Mining**

Njini F “SA mine deaths fall to record low as safety improves” [IOL](#) 24 January 2020

Saba A “Miners speak out against Sibanye” [Mail & Guardian](#) 24 January 2020

- **Water, oceans, waste and chemicals**

Seleka N “Medical staff trapped in volatile QwaQwa as residents demand water” [News24](#) 21 January 2020 [Legalbrief Forensic 23 January 2020]

Mabuza E “Water Shortage SA and Outa call for an independent water regulator” [TimesLive](#) 15 January 2020 [Legalbrief Environmental 21 January 2020]

Charles M “Dispute between City of Cape Town, desalination company still awaits court date” [IOL](#) 14 January 2020 [Legalbrief Environmental 21 January 2020]

General: New project tackles Western Cape food waste

“The large amounts of food waste ending up in Western Cape landfills has prompted a new project to recycle this waste more effectively. A Cape Argus report notes that the Rainbow Warriors International organisation conducted a feasibility study in November, visiting restaurants across Cape Town to understand why there were such large quantities of food waste. Rainbow Warriors International executive director Ryan Fortune said: ‘We thought it might be an excellent idea to start looking for ways to deal with this “problem” in a more holistic and regenerative way such as composting or vermicomposting (using earthworms to produce compost), etc.’ Fortune said that due to a lack of awareness people failed to understand what a valuable resource food waste could be. The Rainbow Warriors organisation plans to divert 200kgs of waste per week over the next three months through processing methods known as red wiggler composting, which is used for vermicomposting of domestic and industrial organic waste, bioGas digesters used for breaking down organic matter and black soldier fly larvae which is a method used to compost waste or convert the waste into animal feed.”

Full Cape Argus report (subscription needed) [Legalbrief Environmental 21 January 2020]

Mbovane T “Fifteen-year wait for KwaNobuhle bridge finally over” [GroundUp](#) 24 January 2020

Gontsana M-A “We have become mosquito food, say families living along filthy canal” [GroundUp](#) 22 January 2020

- **Miscellaneous**

“SA improves marginally in Corruption Perceptions Index” [Moneyweb](#) 24 January 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“World Bank REDD programme adopts changes to align with CORSIA” [Carbon Pulse](#) 23 January 2020

“Tanzania to relocate 36 lions who attacked humans and cattle” [News24](#) 20 January 2020

Criminal: Middle East push for endangered cheetahs

A growing demand for exotic pets in Saudi Arabia and the UAE is fuelling the smuggling of cheetahs in Ethiopia, an Ethiopian wildlife official has told the **BBC**. Daniel Pawlos said at least four cheetahs were smuggled to the Gulf nations every month where they are each sold for more than \$10 000. There are only about 7 000 cheetahs left in the wild with about 90% of them located in Africa. The Convention on International Trade in Endangered Species has listed them as an endangered species

Full BBC News report - IBA Legalbrief Africa 20 January 2020

"Watch | Austria is building the biggest ski resort in the world - but it means taking out a peak" [News24](#) 20 January 2020

"Threatened species hit hard by Australia's bushfires" [News24](#) 20 January 2020

Mkhonza T "East African locust plague: Five facts about locusts" [IOL](#) 25 January 2020

"UN releases \$10m to fight devastating East Africa locust swarms" [IOL](#) 24 January 2020

Negron V "NRDC sues to extend endangered species protection to pangolin" [The Jurist](#) 23 January 2020

Carrington D "Make big polluters pay for mass tree planting, officials say" [The Guardian](#) 23 January 2020

Rocha J "Brazil's Bolsonaro creates Amazon Council and Environmental Police force" [Mongabay](#) 24 January 2020

- **Climate change and energy**

"Shipping climate goal to cost 100 times more than industry proposing to raise" [Carbon Pulse](#) 20 January 2020

Simon F "Billions to be wasted on 'unnecessary' gas projects, study says" [Euractive](#) 20 January 2020

Bernton H and Bush E "Why oil giant BP wants Washington lawmakers to put a price on carbon pollution" [Seattle Times](#) 21 January 2020

Boyd J "\$4trn carbon tax bill needed to meet climate crisis, says Refinitiv" [Investment](#) 21 January 2020

"World's carbon markets grow 34% in value to \$215 billion in 2019 –report" [Carbon Pulse](#) 22 January 2020

"Blame game ensues in Australia as climate action moment set to pass" [Carbon Pulse](#) 22 January 2020

"Australia widens scope for animal manure projects to earn offsets" [Carbon Pulse](#) 22 January 2020

"Economy failing on climate and equality, says NGOs" [News24](#) 23 January 2020

Smith S and Williams S "Trump rejects climate 'prophets of doom' as Thunberg warns Davos" [Mail & Guardian](#) 21 January 2020

Amos J “Canadian start-up GHGs at to make global methane map” [BBC News](#) 24 January 2020

“Quarrels, but little consensus at Davos” [BBC News](#) 24 January 2020

Chapman B “Trump watered down environmental laws after BP lobbying, letters reveal” [The Independent](#) 23 January 2020

Mindock C “Trump administration approves permit to allow building of Keystone oil pipeline” [The Independent](#) 23 January 2020

Murray J “Zero-carbon hydrogen injected into gas grid for first time in groundbreaking UK trial” [The Guardian](#) 24 January 2020

Laville S “UK citizens’ climate assembly to meet for first time” [The Guardian](#) 22 January 2020

Elliot L “US and Europe clash over climate crisis threat on last Davos day” [The Guardian](#) 24 January 2020

- **Local government**

Standaert M “Appetite for 'warm meat' drives risk of disease in Hong Kong and China” [The Guardian](#) 23 January 2020

Wainwright O “Proposed changes to regulations 'will make buildings less energy efficient’” [The Guardian](#) 24 January 2020

- **Mining**

Hymas C “Foreign aid for coal mines and coal-fired power plants to end, Boris Johnson pledges” [The Telegraph](#) 19 January 2020

Philips D “Brazil prosecutors charge 16 people with murder in dam collapse that killed 270” [The Guardian](#) 21 January 2020 [Legalbrief 23 January 2020] – Also read [The Jurist](#)

“Tanzania: Talks With Barrick Gold Still On, Tanzania Government Says” [allAfrica](#) 20 January 2020 [Legalbrief 22 January 2020]

McKie R “Race to exploit the world’s seabed set to wreak havoc on marine life” [The Guardian](#) 25 January 2020

Carrington D “World’s consumption of materials hits record 100bn tonnes a year” [The Guardian](#) 22 January 2020

Walker A “Fracking protester’s sentence reduced by court of appeal” [The Guardian](#) 24 January 2020

Morton A “Great Australian Bight: Wilderness Society launches legal challenge to Equinor’s oil drilling approval” [The Guardian](#) 22 January 2020

- **Water, waste, oceans and chemicals**

“Travel Foundation fighting plastic pollution” [eTN](#) 23 January 2020

“Pope praises fishermen who clean up polluted seas” [News24](#) 19 January 2020

“Filipinos turn volcano's ash, plastic trash into bricks” [News24](#) 19 January 2020

Hursh A “Trump administration finalizes rule weakening federal water pollution protections” [The Jurist](#) 23 January 2020

Davenport C “Trump Removes Pollution Controls on Streams and Wetlands” [New York Times](#) 22 January 2020 – also see [CNN](#) report

Mauroni A “Georgia ACLU calls for investigation of water conditions at Cobb County Jail” [The Jurist](#) 22 January 2020

Salamacha R “Supreme Court declines to hear Flint, Michigan, officials' appeal over water crisis” [The Jurist](#) 22 January 2020

“US drinking water contamination with ‘forever chemicals’ far worse than scientists thought” [The Guardian](#) 22 January 2020

Ross D “Pentagon causing toxic pollution by burning foam, campaigners say” [The Guardian](#) 20 January 2020

- **Miscellaneous**

“New building safety regulator for England to be set up immediately” [Out-Law News](#) 22 January 2020 [Legalbrief 24 January 2020]

Sguazzin A “Zim food crisis worsens - but UN officials say there's no sign of the promised food aid” [fin24](#) 25 January 2020

McFall-Johnsen M “The 'Doomsday Clock' has jumped closer to midnight than ever as nuclear weapons and climate disasters turn the world into a 'pressure cooker'” [Business Insider](#) 24 January 2020

“Record 45mn need urgent food aid in Southern Africa — UN” [Mail & Guardian](#) 20 January 2020

Napoleon E “Transparency International releases its annual corruption [index](#)” [The Jurist](#) 25 January 2020

Stephens C “New Jersey governor signs ban on flavored vaping products” [The Jurist](#) 22 January 2020

“Indonesia to deport environmental journalist Philip Jacobson” [Jakarta Post](#) 25 January 2020

“Davos 2020: Companies sign up to environmental disclosure scheme” [Financial Times](#) 22 January 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

Warburton Attorneys: Qualified associated attorney

Warburton Attorneys, based in Rosebank, Johannesburg, has a position available for a qualified associate attorney. The candidate must have at least one year of experience in practice post admission, working as an environmental attorney, as well as excellent drafting skills and must have completed a Masters degree in Law (LLM). Please submit your full CV, academic transcript and motivational letter to [Lulu](#).

Centre for Environmental Rights: Attorney Reference No: 1/2020

Closing date: 10 February 2020

More [information](#)

Centre for Environmental Rights: Candidate Attorney 2020-2021 Reference No: 6/2019

Closing date: 31 January 2020

More [information](#)

Law / LLB Internship Programme: Claims

More [information](#)

Allen & Overy: Head of Johannesburg Legal Services Centre

More [information](#)

International

CUI-TWAS Fellowships for PhD and postdoctoral programmes

Offered by the [COMSATS University Islamabad](#) (CUI) in Pakistan and [TWAS, the World Academy of Sciences](#). The fellowships are offered in the natural and related applied sciences to students and researchers from developing countries to gain postgraduate education and research experience at CUI.

Full details on eligibility criteria and application procedures are available at the following links:

For the Postgraduate programme: [here](#)

For the Postdoctoral programme: [here](#)

Deadline to apply: 16 March 2020

Applications from women scientists and nationals from S&T-Lagging countries (STLC) are highly encouraged.

For a list of STLC countries please visit [here](#)

Applications from non-STLC developing countries are also accepted. For any inquiries, [email](#)

Pace University's Elisabeth Haub School of Law four environmental law graduate fellows for the 2020-21 academic year

Fellows earn an [LLM in Environmental Law](#) while working part time within the Haub Environmental Law Program or one of its centers. They receive a full tuition waiver as well as a modest stipend to help cover living costs. Full details on each position, and information on how to apply for these fellowships can be found at <https://law.pace.edu/graduate/llm-graduate-fellowships>. Note that applicants

must apply concurrently to the [Environmental LLM program](#) at the Elisabeth Haub School of Law to be considered for a fellowship.

Please click [here](#) for more details on how to apply.

Applications are due by March 13, 2020.

Positions:

The Environmental Law Graduate Fellow works with environmental faculty and staff undertaking research, including supporting the [Global Center for Environmental Legal Studies](#) and assisting with the [National Environmental Law Moot Court Competition](#), developing and implementing new projects, and other duties as assigned.

The Energy and Climate Law Graduate Fellow works with faculty and staff of the [Pace Energy and Climate Center](#) on projects in which the Center is currently engaged, which may include decarbonization, energy equity, electric and gas utility regulatory matters, or other clean energy and climate issues.

The Land Use and Sustainable Development Graduate Fellow works with faculty and staff of the [Land Use Law Center](#) on conferences, meetings, training programs, and publications, and local government technical assistance projects.

The Food and Agriculture Law Graduate Fellow works with faculty and staff of the [Pace-NRDC Food Law Initiative](#) and [Food and Beverage Law Clinic](#) on clinic outreach, student supervision and client work, and will coordinate training programs and curriculum.

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

31 January 2020

LEGISLATION

NOTICES

Statistics South Africa – Gen Notice 32 in GG 42980 of 31 January 2020 - Consumer Price Index, Rate (Base Dec 2016 = 100): December 2019: 4.0

Merchant Shipping Act 57 of 1951 – Gen Notice 41 in GG 42984 of 31 January 2020 - Draft Merchant Shipping (Construction and Equipment of Fishing vessels of less than 24 metres in length but not more than 25GT) Regulations, 2020 - for comment

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R2 in GG 42979 of 31 January 2020 - Proc R3 in GG 42979 of 31 January 2020 - Referral of matters to existing Special Investigating Unit in respect of the affairs of Eskom Holdings SOC Limited and Transnet SOC Limited published in Proc 11 in GG 41561 of 6 April 2018 amended

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R4 in GG 42979 of 31 January 2020 - Referral of matters to existing Special Investigating Unit in respect of the affairs of the National Treasury

Public Finance Management Act 1 of 1999 - GN 56 in GG 42980 of 31 January 2020 - Proposed regulation on accounting standards applicable to trading entities – for comment

Promotion of Access to Information Act 2 of 2000 – Gen Notice 26 in GG 42980 of 31 January 2020 – Publication of descriptions submitted in terms of s. 15 (1) by - Department of Agriculture, Forestry and Fisheries

Promotion of Access to Information Act 2 of 2000 – Gen Notice 27 in GG 42980 of 31 January 2020 – Publication of descriptions submitted in terms of s. 15 (1) by Department of Tourism ()

PROVINCES

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 1 in *PG* 4374 of 27 January 2020 - Nelson Mandela Bay Metropolitan Municipality: Problem Building By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 23 in *PG* 4374 of 27 January 2020 - Buffalo City Metropolitan Municipality - Dilapidated Buildings and unsightly neglected structures and properties By-law, 2018

Northern Cape

National Environmental Management: Protected Areas Act 57 of 2003 - MN 1 in *PG* 2324 of 27 January 2020 - Intention to declare nature reserves and protected environments - Daberas, Rooiklipies, Hanover Aarvark, Brakputs, Pleroma and Avontuur Nature Reserves, and High Karoo Park and Kamnap Oos Protected Environments

North West

North West Business Licensing Act 3 of 2019 - PN 13 in *PG* 8091 of 24 January 2020 - Draft North West Business Licensing Regulations, 2019 - for comment

North West Parks and Tourism Board Bill, 2019 - PN 14 in *PG* 8092 of 24 January 2020 – Bill and memorandum on the objects of the Bill - for comment

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20045 in *PG* 8197 of 28 January 2020 - Mossel Bay Local Municipality - By-law regarding Outdoor Advertising and Advertisement Signs

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 20050 in *PG* 8200 of 31 January 2020 - Stellenbosch Local Municipality - Municipal Spatial Development Framework (MSDF)

Local Government: Municipal Systems Act 32 of 2000; Spatial Planning Land Use Management Act 16 of 2013; and Western Cape Land Use Planning Act 3 of 2014 - LAN 20043 in *PG* 8200 of 31 January 2020 - Witzenberg Local Municipality - Draft Municipal Spatial Development Framework (MSDF) – for comment

CASES

National

National Energy Regulator of South Africa and Another v PG Group (Pty) Ltd and Others 2020 (1) SA 450 (CC)

“Administrative law—Administrative action—Review—Rationality—Assessment of process leading to decision—Part of rationality enquiry under Act—Promotion of Administrative Justice Act 3 of 2000, s 6.”

Telkom SA SOC Ltd v Cape Town (City) and Another 2020 (1) SA 514 (SCA)

“Telecommunication—Network—Facility—Licensee applying for rezoning of private land to allow erection of telecommunications station—Before rezoning approved licensee erecting station—Municipality obtaining declarator that erection unlawful—Challenge on appeal to provisions of municipal bylaw requiring municipality’s consent to rezoning of property to allow erection of such station.”

Achuko v Absa Bank Ltd and Others 2020 (1) SA 533 (GJ)

International law—Jurisdiction of courts—Whether South African courts enjoying jurisdiction to consider violation of Bill of Rights in respect of conduct taking place outside territory of South Africa, but having effects within its borders.

Department of Agriculture, Forestry and Fisheries and Another v B Xulu and Partners Incorporated and Others (6189/2019) [2020] ZAWCHC 3 (30 January 2020)

Marine Living Resources Fund – settlement agreement – execution – new government departments – external mandates – procurement – maladministration

PUBLICATIONS

National

2020 116(1/2) *South African Journal of Science*

- Carruthers J “Conservation science and UNESCO Biosphere Reserves” DOI: <https://doi.org/10.17159/sajs.2020/7709>
- Phaka FM “Environmental science investigations of folk taxonomy and other forms of indigenous knowledge” DOI: <https://doi.org/10.17159/sajs.2020/6538>
- Pool-Stanvliet R and Coetzer K “The scientific value of UNESCO biosphere reserves” DOI: <https://doi.org/10.17159/sajs.2020/7432>
- Ngwenya N and Simatele MD “The emergence of green bonds as an integral component of climate finance in South Africa” DOI: <https://doi.org/10.17159/sajs.2020/6522>
- Rodseth C, Notten P and Von Blottniz H “A revised approach for estimating informally disposed domestic waste in rural versus urban South Africa and implications for waste management” DOI: <https://doi.org/10.17159/sajs.2020/5635>

International

2020 2(1) [Energy Review](#) is available

Development Asia “Deploying Distributed Renewable Energy in Isolated Areas” ([Report](#) January 2020)

Tagesson T *et al* “Recent divergence in the contributions of tropical and boreal forests to the terrestrial carbon sink” 2020 [Nat Ecol Evol](#) <https://doi.org/10.1038/s41559-019-1090-0>

Kornfeld Itzhak *Mega-Dams and Indigenous Human Rights* ([Edward Elgar](#) 2020)

Paul C *et al* “On the functional relationship between biodiversity and economic value” 2020 [Science Advances](#) 6(5) DOI: 10.1126/sciadv.aax7712

Mehling M *et al* “Teaching Climate Law: Trends, Methods and Outlook” 2020 [Journal of Environmental Law](#) <https://doi.org/10.1093/jel/eqz036>

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Science](#): Nordling L “South Africa’s move to allow farming of lions and other wildlife is a bad idea, scientists say” 29 January 2020

- **Mining**

[Quartz Africa](#): Karombo T “South Africa has the world’s highest number of environmentally dangerous tailing dams” 16 January 2020 [provided by Michael Kidd]

Department of Mineral Resources: Mine Health and Safety Statistics (“safety statistics”) for 2019 (24 January 2019) [Source Shangoni [Newsletter](#) 31 January 2020] – see also Minister Mantashe’s press [release](#)

- **Miscellaneous**

[Webber Wentzel](#): Rapson G & Novotny P-A “EAPASA registration deadline extended” 27 January 2020

Africa

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Leone F “Facility Launched to Support Climate-Friendly Cooling in Developing Countries” 30 January 2020

[Mail & Guardian](#): Allison S “The Icelandic fisherman who fought the sharks – and won” 31 January 2020

- **Mining**

[The New Yorker](#): Caesar E “The woman shaking up the diamond industry” 27 January 2020

- **Miscellaneous**

[Mail & Guardian](#): Mikia A “As climate crisis bites, cricket-eating goes global” 31 January 2020

International

- **Biodiversity, national parks and culture**

[Place](#): Moloney A “Amazon emissions lowest from indigenous and protected lands, scientists say” 27 January 2020

[Science](#): Pennisi E “Massive effort to document the genetics of European forests bears fruit” 27 January 2020

[Science](#): Stokstad E “Seabird ‘cops’ spy on sneaky fishing vessels” 27 January 2020

[Science](#): Vogel G “Animal rights conflict prompts leading researcher to leave Germany for China” 27 January

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “European Union Earmarks Budget, Urges Legally Binding Biodiversity Targets” 28 January 2020

[IISD](#) SDG Knowledge Hub: Anderson L “IUCN, UNEP Launch EbA Fund” 28 January 2020

- **Climate change and energy**

[Carbon Brief](#): “Tropical forests losing ability to absorb CO₂, study says” 27 January 2020

[CPR Blog](#): Mintz J “Climate Chaos and the Courts: Disappointment (Despite Some Encouragement) in Juliana v. United States” 27 January 2020

[VJEL](#): Parenteau P “End Game for the Kids Climate Case?” 29 January 2020

[BDN](#): Sheperd M “How Maine could emit zero carbon by 2050 without more energy spending” 30 January 2020

North Carolina's [Clean Energy Plan](#), with a goal of 70% electricity generation sector reductions by 2030 and near zero by 2050

Governor of Commonwealth of Virginia [Executive Order](#): Number Forty-Three (2019) Expanding Access to Clean Energy and Growing the Clean Energy Jobs of the Future

[IISD](#) SDG Knowledge Hub: Leone F “UN Human Rights Body Supports Asylum for Climate Change Refugees” 30 January 2020

[IISD](#) SDG Knowledge Hub: Leone F “Science Based Targets Initiative Reports on Progress Towards Low-Carbon Economy” 30 January 2020

“Ukraine's long-term energy strategy targets climate neutrality by 2070” [EnerData](#) 30 January 2020

[Met Office](#): Madge G “New global record ‘likely’ within five years” 30 January 2020

Legal Planet [Blog](#): Carlson A “Deciding a Climate Case in the Shadow of the Supreme Court” 23 January 2020

- **Local government**

[Place](#): Biron CL “Homesteaders, catastrophists run for the hills to flee U.S. uncertainty” 27 January 2020

- **Mining**

[Reuters Graphics](#): Warburton M *et al* “The Looming Risk of Tailings Dams” 3 January 2020

- **Water, oceans, waste and chemicals**

[IISD](#) ENB: 32nd UN-Water Meeting: 28-29 January 2020 | Rome, Italy

[Science](#): Service RF “Electricity turns garbage into graphene” 27 January 2020

[Science](#): Gilbert N “Industry says voluntary plan to curb antibiotic pollution is working, but critics want regulation” 24 January 2020

[Science](#): Voosen P “Underwater robot reveals hidden base of Antarctica’s ‘doomsday’ glacier” 28 January 2020

[IISD](#) SDG Knowledge Hub: Hestad D “2019 State of the Environment Report Reveals Positive Trends in Palau’s Shallow Coral Reefs” 30 January 2020

[IISD](#) SDG Knowledge Hub: Mead L “Quick Start Programme Shares Stories on Sound Chemicals Management” 28 January 2020

[IISD](#) SDG Knowledge Hub: Wagner L “UN-Water Deliberates Form and Function of Forthcoming High-level Events” 28 January 2020

- **Miscellaneous**

[Place](#): Chandran R “Indigenous people left landless as traditional farming wanes in northeast India” 31 January 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

NWU / Konrad-Adenauer Stiftung (KAS) colloquium on the calculation of compensation

Date: 6 February 2020

Place: [Potchefstroom](#)

Program [here](#)

Register [here](#) for catering purposes

IAIAsa North-West branch seminar

Date: 13 February 2020

Note: The event is registered with SACNASP for CPD recognition

Please use this [link](#) to register

For more information, you are welcome to contact [Claudine Roos](#)

IAIAsa and ELA Western Cape Joint Event – Formalising informal settlement: legal and institutional challenges – Save the date!

Date: 19 February 2020 at 17h30

Venue: Rondebosch Golf Club

More information to follow

IAIAsa Gauteng Event: Incorporating IFC Performance Standards in EIA

Date: 18 February 2020

Time: 09:00-13:30

Venue: Zitholele Consulting, Maxwell Office Park, Waterfall City, 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](#)

University of Cape Town, Graduate School of Business Short Course: Finance, Contracts and Risk Mitigation for Power Investment in Africa

Dates: 9-13 March 2020

More [information](#)

ASSAf Workshop and Launch of report on Neonicotinoid Insecticides: Use and Effects in African Agriculture A Review and Recommendations to Policymakers

Date: 18 March 2020

Time: 09:30-16:30

Place: TBC Pretoria

[Registration](#)

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

NWU CEM Courses

- CEM-02.1.1 Environmental law

Dates: 23 - 27 March 2020

For more information contact Rosy Moloto (018) 299 2725 / Nonzuzu Seleka (018) 299 1470

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](#)

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Contact: Submissions via the landing page on the conference website.

Questions via the website or to [Tanya Stephens](#) or [Joanna Botha](#)

International

IUCN Academy of Environmental Law and Tilburg Sustainability Center Workshop: Enhancing Urban Climate Resilience: The Role of Law

Date: 10 September 2020

Place: Tilburg University, Netherlands

Abstract submission deadline: Monday 2 March 2020

Please submit abstracts of no more than 300 words to [Dr Angela van der Berg](#)

Registration deadline: Monday 3 August 2020 – registration is compulsory, please register [here](#)

For any inquiries, contact [Dr Angela van der Berg](#)

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

Abstracts: 1 March 2020

More [information](#)

Frankfurt School – UNEP Collaborating Centre for Climate & Sustainable Energy Finance: Online programme Certified Expert in Sustainable Finance

Date: March to August 2020.

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 \(CESFi\)](#)

Also, Frankfurt School is offering again its two climate finance related courses, targeted at 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 \(CECAF\)](#)

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.

Registration is still possible until 31st March 2020.

Online UN course on Human Rights and Environmental Protection

Dates: 9-22 March 2020

More [information](#)

Summer School: Sustainable Housing from a European Perspective, 5th edition

Dates: 22 June - 3 July 2020

Faculty of Architecture and the Built Environment, Delft University of Technology, Delft, The Netherlands

For more info go to this [website](#)

Webinar: Institute for Carbon Removal Law and Policy Webinar Series Communicating Carbon Removal

Date: 21 February 2020

Time: 1 pm EST

Click the [Eventbrite](#) page to register

WBA Conference: Biomass valorisation in Africa as a solution to climate change

Date: 16 - 17 March, 2020

Place: Rabat, Morocco

Potential speakers email the [organisers](#)

More [information](#)

The German Development Institute / Deutsches Institut für Entwicklungspolitik: Managing Global Governance (MGG) Academy 2020

Date: 13 August - 9 December 2020

Online [applications](#) are possible until 1 March 2020

What is the MGG Academy?

The MGG Academy is a training and dialogue format that brings together young professionals from six rising powers (Brazil, China, India, Indonesia, Mexico, South Africa) and Europe. The participants work in their home countries in government institutions, research institutions and think tanks, civil society and the private sector. The overall purpose of the format is to support the development of future change makers that are dedicated to jointly address global challenges. The 4 month programme (13 August - 9 December 2020) consists of academic modules, leadership modules, trips to international organisations, a diplomatic training and a practice-oriented team project.

How can your institution benefit?

MGG alumni contribute an international network and a global perspective. They have developed their leadership competencies and possess a profound ability to identify and address global governance issues in their institutions' work.

What do we offer?

Participants in the MGG Academy are granted a scholarship, which covers the current costs of living, all MGG-related costs and travel expenses in Germany and Europe as well as health, personal liability and accident insurances during the training.

Who can apply?

Candidates from partner institutions of the MGG network should be between 25 and 40 years old, have three years of working experience, have good proficiency in English and work on topics of global governance, ideally on the Agenda 2030.

Sensibility to other cultures as well as openness to various working methods, reflection and team work are also important.

Webinar: Update on COP25 - Implications for the Climate Vulnerable

Date: 10 February 2020

Time 11am EST

More [information](#)

[Registration](#)

IAIA Free webinar: Microplastics in Estuarine and Coastal Ecosystems: Recent Assessment of the State of Knowledge in the Chesapeake Bay

Date: 12 February 2020

Time: 5:00 PM - 6:00 PM SAST

Click [here](#) for more details and to register

NEWS

National

- **Biodiversity, protected areas and culture**

McCain N “Limpopo cops confiscate abalone worth millions” [News24](#) 1 February 2020

- **Climate change and energy**

Jika T and Skiti S “New load-shedding crisis looms” [Mail & Guardian](#) 31 January 2020

Retief C “Load shedding to get worse before it gets better – De Ruyter” [Daily Maverick](#) 31 January 2020

Faku D “Eskom's non-compliance on air quality criticised” [IOL](#) 31 January 2020

Lawrenz A “Opinion: How climate change will shift where money flows” [fin24](#) 1 February 2020

- **Local government**

Washinyira T “City of Cape Town asks court to allow it to enforce bylaws against refugees” [GroundUp](#) 28 January 2020

Luhanga P “Traders and shopowners face off over sewage spill” [GroundUp](#) 27 January 2020

Van Schalkwyk C and Sofianos C “Why Makhanda residents are taking their municipality to court” [GroundUp](#) 24 January 2020

- **Mining**

Sguazzin A and Burkhardt P “South African miners ready to help plug part of power deficit” [IOL](#) 28 January 2020

- **Water, oceans, waste and chemicals**

Kings S “Water services worse than in 1994” [Mail & Guardian](#) 31 January 2020

Mthethwa A “Contaminated Vaal River system stabilised but rehabilitation is far from complete” [Daily Maverick](#) 31 January 2020

- **Miscellaneous**

Yeld J “West Coast property owners could be ordered to demolish their houses” [GroundUp](#) 28 January 2020

Human L “Over 100 judgments have been outstanding for more than six months” [GroundUp](#) 27 January 2020

Karombo T “SA produces more than 65% of the world's ostriches but farmers say they need more rain” [IOL](#) 1 February 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“World Bank sets November deadline for remaining REDD deals” [Carbon Pulse](#) 27 January 2020

“Japan picks projects in seven countries for carbon funding” [Carbon Pulse](#) 27 January 2020

Tidman Z “Cheetahs could return to India after being ‘hunted to extinction’ 70 years ago” [The Independent](#) 29 January 2020

Cockburn H “Climate crisis: ‘Unprecedented’ ocean heatwaves led to record numbers of whale entanglements, study reveals” [The Independent](#) 28 January 2020

Gammon K “Why were whales increasingly caught in crab lines? Because of the climate crisis” [The Guardian](#) 1 February 2020

“Australia fires: bushfires menace homes and lives – and firefighters warn winds will create new threats” [The Guardian](#) 1 February 2020

- **Climate change and energy**

“US threatens retaliation against EU over carbon border measures –FT” [Carbon Pulse](#) 27 January 2020

“‘Focused’ EU climate law needs teeth, says climate chief” [Carbon Pulse](#) 28 January 2020

“Rising coal power imports are undermining EU climate goals –report” [Carbon Pulse](#) 28 January 2020

“Washington governor seeks Clean Air Rule extension to indirect sources” [Carbon Pulse](#) 28 January 2020

“New York would see few environmental benefits from cross border hydro line – report” [Carbon Pulse](#) 28 January 2020

Bandyk M “New Jersey outlines sweeping plans to achieve 100% clean energy by 2050” [Utility Dive](#) 28 January 2020

“Brexit-bound UK confirms rapid return to EU ETS allocations, auctions” [Carbon Pulse](#) 31 January 2020

"UK government sacks COP26 climate summit boss" [Carbon Pulse](#) 31 January 2020

"Massachusetts senate passes omnibus carbon pricing bill" [Carbon Pulse](#) 31 January 2020

"Chilean senate passes carbon tax reform with offset provision" [Carbon Pulse](#) 31 January 2020

"Gas expansion at heart of Australia-NSW climate, energy deal" [Carbon Pulse](#) 31 January 2020

"Hundreds of Amazon employees criticise firm's climate stance" [Mail & Guardian](#) 27 January 2020

"'Dangerous' to crop African voices on climate: Uganda activist" [News24](#) 28 January 2020

"'The African perspective is always so under-reported' - Thunberg puts Africa's climate activists in spotlight" [News24](#) 31 January 2020

Bryant C "The big dirty secret of the World's biggest companies" [IOL](#) 1 February 2020

Gujral Z "Federal appeals court orders EPA to review biofuel waivers granted to three oil refineries" [The Jurist](#) 28 January 2020

Thornton P "EU member states avert €100bn Brexit 'disaster' for European Investment Bank as UK quits" [The Independent](#) 31 January 2020

Cockburn H "Climate crisis: Up to 85 per cent of wine regions at risk as vineyards urged to diversify grape varieties, study says" [The Independent](#) 29 January 2020

- **Local government**

Dalton J "UK monitoring of aircraft noise 'seriously underestimates' disturbance to people's health" [The Independent](#) 28 January 2020

Cockburn H "People living in UK towns and cities 25 times more likely to die from air pollution than car crash, charity warns" [The Independent](#) 27 January 2020

- **Mining**

Kuyedzwa C "Zim energy crisis forces miners off grid as production slumps" [News24](#) 1 February 2020

Stoddard E "AngloGold's Obuasi mine in Ghana brought back to life" [Daily Maverick](#) 31 January 2020

- **Water, waste, oceans and chemicals**

Gillett T "Federal appeals court rules federal law gives no recourse to Indian tribe in fight with EPA" [The Jurist](#) 29 January 2020

Cockburn H "Japan planning to release over a million tonnes of radioactive water into sea from Fukushima power plant" [The Independent](#) 1 February 2020

- **Miscellaneous**

“Kenya: Land, Environment Courts in Nairobi Booked to March 2021 Amid Acute Staffing Gap” [allAfrica](#) 23 January 2020 [Legalbrief Environmental 28 January 2020]

Kupherschmidt K “Outbreak of virus from China declared global emergency” [eTN](#) 30 January 2020

“Zimbabwe lifts ban on imports of genetically modified mealies” [City Press](#) 31 January 2020

Sguazzin A *et al* “Prowling lions and corrupt officials block roads to Africa trade” [IOL](#) 1 February 2020

Maas C “Poland lawmakers give final approval to legislation allowing politicians to fire judges who criticize their decisions” [The Jurist](#) 26 January 2020

Petter O “H&M accused of ‘greenwashing’ over plans to make clothes from sustainable fabric” [The Independent](#) 1 February 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

Natural Justice: Programme Manager: Governance of Lands, Natural Resources/Traditional Knowledge & Benefit Sharing

Closing date: 7 February 2020

More [information](#)

Centre for Environmental Rights: Attorney Reference No: 1/2020

Closing date: 10 February 2020

More [information](#)

Director: ICJ Africa Regional Programme

More [information](#)

Access Campaign Advocacy: Medecins Sans Frontieres South Africa (internship for 1 year)

More [information](#)

Law student / Graduate: Legal Recruit Durban KZN

More [information](#)

Cognia Law Admin Coordinator

More [information](#)

Candidate Attorney Position Immediately Available, Stellenbosch

More [information](#)

Candidate Attorney, Cape Town

More [information](#)

Recruitment Agency: Head of Faculty of Law, Johannesburg

More [information](#)

University of the Free State: Candidate Attorney/ Legal Practitioner

Closing date: 5 February 2020

More [information](#)

Pearson: Part Time Law Lecturer

Closing date: 2 February 2020

More [information](#)

UKZN: EX02/2020 Registrar (5 year contract)

Closing date: 28 February 2020

More [information](#)

UKZN: College of Law and Management Studies: Deputy Vice-Chancellor and Head of College

Closing date: 28 February 2020

More [information](#)

Government of Brunei Darussalam Scholarship

Diploma, Bachelor's and Master's scholarships in Brunei Darussalam.

Scholarship available in a range of fields.

Deadline for scholarship application: 07 February 2020

[Read more](#)

Non-Aligned Movement (NAM) Scholarship

Bachelor's, Master's and PhD scholarships in Azerbaijan.

Scholarship available in all fields of study.

Deadline for scholarship applications: 08 February 2020

[Read more](#)

Mauritius-Africa Scholarship

Bachelor's, Masters and PhD Scholarship in Mauritius.

All fields of study available excluding Bachelor's degree in Medicine.

Deadline for scholarship application: 25 March 2020

[Read more](#)

Punjab College of Technical Education

Bachelor's and Master's scholarships in India.

Scholarship available in all fields of study.

Deadline for scholarship applications: 20 February 2020

[Read more](#)

Law Lecturers Port Elizabeth – recruitment agency

More [information](#)

International

George Washington University Graduate Fellow Position 2020-2022

The George Washington University Law School is pleased to announce the availability of a graduate Fellowship beginning in July 2020 and ending in June 2022. The Fellow will have the title of Visiting Associate Professor of Law and Environmental & Energy Law Program Fellow.

About this position

This Fellowship offers many advantages, with opportunities and professional connections available across the university and the nation's capital, including:

- Prime location in the heart of Washington, D.C., within walking or Metro distance of leading environmental governmental agencies, national and international organizations, and embassies
- Opportunities to attend or participate in numerous programs and events of interest in the environmental law and policy field, both in the law school and across the vibrant university campus, including at the prestigious Elliott School of International Affairs
- Multidisciplinary connections through Sustainable GW, a cross-institutional network of professionals and professors encompassing many programs and disciplines at GWU
- Networking opportunities with GW Law's environmental and energy law alumni
- Collaboration opportunities with partner organizations such as the
- Environmental Law Institute, Potomac Riverkeeper Network, and national headquarters of major environmental and energy groups
- International connections with visiting dignitaries, graduate students, and visiting scholars

The Fellow will be expected to co-teach a course on Environmental Lawyering offered each semester as well as co-teach or guest lecture in other courses. The Fellow may also have an opportunity to teach a course in an area of interest/expertise and advise students on independent research projects, such as those undertaken by students participating in the Energy and Sustainability program co-taught by GW Law and the University of Groningen Honours College. Previous Fellows have benefited from other teaching opportunities of a multidisciplinary character (e.g. in the Elliott School and in the undergraduate Introduction to Sustainability course).

The Fellow will engage in environmental or energy law research related to the work of the Environmental and Energy Law Program and may have the opportunity to publish articles that result from the research. The Fellow may also participate in two or three professional conferences per year, with funding provided through the Law School, as determined by the Program Director.

The Fellow is responsible for editing the Program's regular newsletters and generating content for the program's social media platforms. The Fellow will assist in the organization and publicity of multiple major environmental and/or energy law conferences each year, including the annual Shapiro Symposium, as well as additional events, often in coordination with other professional organizations. The Fellow also reviews and short-lists candidates for the commemorative Jamie Grodsky Prize for Environmental Scholarship and organizes the Grodsky Prize presentation.

About 10-15% of the Fellow's work, occasionally more depending on event schedules, can be expected to involve administrative tasks in support of the Environment and Energy Law Program, including working on conference and event logistics, coordinating with staff and professors, handling reimbursements, and managing the program's social media accounts.

Fellows receive a monthly stipend amounting to \$60,000 per year for living expenses and may participate in the University's benefits program.

Qualifications

We are currently seeking applications from organized candidates with strong academic, writing, and research skills and previous environmental or energy policy development, law practice, teaching experience, or comparable demonstration of their commitment to this field. An interest in pursuing an academic career in environmental and/or energy law is a plus. Collaborative event management and strong communications skills, including in active social media platforms, are highly valued.

Applicants should send a letter of interest, a resume, a legal writing sample, a list of three or more references, and a complete law school transcript by February 21 to Interim Director [Lin Harmon-Walker](#). Please direct any questions about the position to Professor Harmon-Walker.

The George Washington University Law School is an Affirmative Action/Equal Opportunity employer. The University undertakes special efforts to employ a diverse workforce.

[Assistant / Associate / Full Professor of Socio-Legal Studies](#)

York University Department of Social Science

[Assistant / Associate / Full Professor of Canadian Public Law and Governance](#)

York University

[Associate Dean for Global Engagement](#)

University of Nottingham Business School

[University Lecturer in Gender Studies](#)

University of Cambridge

[Lecturer in Commercial Law](#)

University of Leeds School of Law

[Research Fellow in Law](#)

University of Southampton Southampton Law School

[Lecturer in Law](#)

University of California Berkeley 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.

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POLICIES

Department of Mineral Resources and Energy - GN 116 in GG 43003 of 7 February 2020 - South African Biofuels Regulatory Framework

Department of Planning, Monitoring and Evaluation – Gen Notice 48 in GG 42999 of 7 February 2020 - Draft National Youth Policy 2020-2030 - for comment

BILLS

Draft Auditing Profession Amendment Bill, 2020 – Gen Notice 47 in GG 42999 of 7 February 2020

Bills before Parliament [Imbewu January 2020 Sustainability Newsletter]

- Economic Regulation of Transport Bill (B1-2020)
- Independent Electricity Management Operator Bill (B14-2019)
- Science and Technology Laws Amendment Bill (B42 – 2018)
- National Environmental Management Laws Amendment Bill (B12-2017)
- National Land Transport Amendment Bill (B7-2016)
- National Forests Amendment Bill (B11-2016)

Bills before the President [Imbewu January 2020 Sustainability Newsletter]

- Promotion of Access to Information Amendment Bill (B20-2019)

ACTS

National Environmental Management: Integrated Coastal Management Act 24 of 2008 – GN 93 in GG 42999 of 7 February 2020 - Section 11 commenced 7 February 2020

State Attorney Amendment Act 13 of 2014 - Proc R6 in GG 42989 of 3 February 2020 - commenced 7 February 2020

NOTICES

Petroleum Products Act 120 of 1977 - GN R107 in GG 43000 of 7 February 2020 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R1709 in GG 42934 of 31 December 2019 substituted with effect from 5 February 2020

Petroleum Products Act 120 of 1977 - GN R88 in GG 42993 of 4 February 2020
- Regulations in respect of petroleum products published in GN R1708 in GG 42934 of 31 December 2019 substituted with effect from 5 February 2020

Petroleum Products Act 120 of 1977 - GN R89 in GG 42993 of 4 February 2020
- Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 5 February 2020

Rules Board for Courts of Law Act 107 of 1985 - GN R107 in GG 43000 of 7 February 2020 - Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa amended with effect from 9 March 2020

Rules Board for Courts of Law Act 107 of 1985 - GN R107 in GG 43000 of 7 February 2020 - Rules regulating the conduct of proceedings of the several provincial and local divisions of the High Court of South Africa amended with effect from 9 March 2020

National Environmental Management: Waste Act 59 of 2008 - GN 85 in GG 42990 of 3 February 2020 - Exclusion of certain waste streams or portions of waste streams from the definition of 'waste' for beneficial use

PROVINCES

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 28 in PG 4377 of 3 February 2020 - Buffalo City Metropolitan Municipality - Outdoor Advertising By-law, 2018

Mpumalanga

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - PN 20 in PG 3127 of 7 February 2020 - Msukaligwa Local Municipality - Review of the Spatial Development Framework – for comment

CASES

International

Coldwater Indian Band, Squamish Nation, Tshleil Waututh Nation and Others v Attorney General of Canada, Transmountain Pipeline ULC and Others 202 [FCA](#) 34 Decided 4 February 2020 [Canadian Federal Court of Appeal]

Oil pipeline – duty to consult indigenous communities – EIA – procedural fairness – reconciliation – impact on aquifer [also see NEWS]

Ruling on Modification to Ethanol Fuel Rule [610/2019](#) (Supreme Court of Mexico)

“On January 22, 2020, the Supreme Court of Mexico invalidated an agency action that would have allowed higher ethanol content in gasoline. The Court concluded that the precautionary principle and the right to a healthy environment require consideration of ethanol's environmental risks, including its contributions to greenhouse gas emissions.” [February 2020 Sabin Center for Climate Change Law Update]

Credit Suisse Protesters Trial (Lausanne [District Court](#))

“A Swiss court ruled in favor of a dozen climate activists who occupied a Credit Suisse branch to protest the bank's fossil fuel investments. The judge concluded that because of the imminent danger of the climate crisis, the protesters' actions were necessary and proportional.” [February 2020 Sabin Center for Climate Change Law Update]

PUBLICATIONS

National

Anon "Mining" 2020 20(1) [Without Prejudice](#) / access through [Sabinet](#)

Bierman H "Rooibos and justice" 2020 20(1) [Without Prejudice](#) / access through [Sabinet](#)

International

Kabaseke C and Lubaale EC "Making a case for recognition of women's contribution in the legal framework for environmental conservation in Uganda" 2019 30(392) [Stellenbosch Law Review](#)

Columbia Law School "Threats to the Brazilian Environment And Environmental Policy" (Workshop of 13 November 2019 - Proceedings [Report](#) 2020)

Gerrard MB "The effect of New York's new climate law on municipalities: deep but uncertain" 2019 20(3) [New York Zoning Law and Practice Report](#)

Francis A "Free Movement Agreements & Climate Induced Migration: A Caribbean Case Study" (Sabin Centre [Report](#) September 2019)

"Business Model for Green Buildings" (PEEB [Report](#) 2020)

Burger M, Wentz J and Horton R "The Law and Science of Climate Change Attribution" 2020 45(1) [Columbia Journal of Environmental Law](#)
DOI: <https://doi.org/10.7916/cjel.v45i1.4730>

Kornfeld I "Insurance Coverage for Droughts, due to Climate Change: The Case for "Loss of Business Income" and "Loss of Use" 2020 10 *Arizona Journal of Environmental Law & Policy* 151 [contact ELA general email for copy]

Roggenkamp MM and Banet C (eds) *European Energy Law Report XIII* ([Intersentia](#) 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Natural Justice](#): Mzwakali S "Natural Justice begins Biocultural Community Protocol process in Venda, South Africa" 31 January 2020

[Daily Maverick](#): Joubert L "Joubert L "SA's wonder-plants underestimated in their potential to slow climate collapse" 7 February 2020

[News24](#): “Conservation Capture” February 2020

- **Climate change and energy**

[The Conversation](#): Booysen MJ “Smart water heating could help in South Africa’s energy crisis” 2 February 2020

- **Local government**

[GroundUp](#): Kretzmann S “Support for property developer angers Khoi leadership - A statement claiming First Nations support for River Club development is rejected by tribal authorities” 7 February 2020

[GroundUp](#): Majola N “Violent protests after taps run dry in Ntuzuma” 6 February 2020

[GroundUp](#): Human L “Cape Town garden changes lives for homeless people” 3 February 2020

[Mail & Guardian](#): “Editorial: Promises are on tap, but not water” 8 February 2020

[Mail & Guardian](#): Kings S “Water services worse than in 1994” 31 January 2020

- **Mining**

[Webber Wentzel](#): Van der Poel J, Kota M and Felekis A “Can mining companies currently generate own power without licenses?” 4 February 2020

[Webber Wentzel](#): Veeran J *et al* “Webber Wentzel mining sector experts’ response to the minister’s speech #miningindaba2020” 3 February 2020

[Daily Maverick](#): Stoddard E “Mining Indaba 2020: Some things we learned” 6 February 2020

Africa

- **Biodiversity, protected areas, animal rights and culture**

[The Guardian](#): Vidal J “Armed ecoguards funded by WWF ‘beat up Congo tribespeople’” 7 February 2020

- **Miscellaneous**

[The Conversation](#): Le Quéré A and Wade TK “Insights from Senegal: involving farmers in research is key to boosting agriculture” 6 February 2020

International

- **Biodiversity, national parks and culture**

[IISD](#) SDG Knowledge Hub: Anderson L “Portal on Global Forests Tracks Forest Monitoring Support” 4 February 2020

[Place](#): Taylor M “Gotta catch ‘em all: Pokemon-style app aims to save Indonesia’s forests” 7 February 2020

[The Independent](#): Agren D and Milman O “Monarch butterflies: conservationist deaths highlight threats from all sides” 8 February 2020

- **Climate change and energy**

[Norton Rose Fulbright](#): de Wit E, Seneviratne S and Calford H “Climate change litigation update” 5 February 2020

Sabin Centre on Climate Law [Blog](#): Webb R “The Status of Methane Regulation in the U.S” 31 January 2020

Sabin Centre for Climate Change Law [Blog](#): Aidun H “EPA's Science Advisors Slam Rationale for Rolling Back Vehicle Emissions Standards” 29 January 2020

Sabin Centre for Climate Change Law [Blog](#): Burger M, Wentz J and Horton R “The Law and Science of Climate Change Attribution” 7 February 2020

[Bulletin](#) of the Atomic Scientists: Nuccitelli D “Earth is heating at a rate equivalent to five atomic bombs per second. Or two Hurricane Sandys” 3 February 2020

[Bulletin](#) of the Atomic Scientists: Berman T, Newell P and Stilwell M “A Cold War lesson for the climate change era: Why we need a Fossil Fuel Non-Proliferation Treaty” 4 February 2020

[IISD](#) SDG Knowledge Hub: Antonich B “Understanding Adaptation Finance as Investment in Equity” 4 February 2020

Florence School of Regulation [Podcast](#) Series: “Energy Transition and Climate Change” (February 2020)

Centre for Progressive Reform [Podcast](#): “Youths' Climate Case Dismissed. Now What?” (February 2020)

[The Guardian](#): Harvey F “UK unprepared for COP 26 conference, warn climate leaders” 7 February 2020

[The Guardian](#): Varoufakis Y and Adler D “The EU's green deal is a colossal exercise in greenwashing” 7 February 2020

- **Local government**

[Place](#): Bacchi U “Explainer-Coronavirus to extreme weather: What happens in a city lockdown?” 4 February 2020

- **Mining**

[Extractives Baraza](#): “BHP to supply water for Escondida mine from desalination plant only” 5 February 2020

[Science](#): Hand E “Company to harvest green hydrogen by igniting oil fires underground” 6 February 2020

- **Water, oceans, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Preparatory Meeting Stresses 2020 as a New Chapter of Ocean Action” 6 February 2020

[IISD](#) SDG Knowledge Hub: Thompson P *et al* “No “Ocean Super-Year” without Marine Regions” 4 February 2020

[IISD](#) SDG Knowledge Hub: Wagner L “UN-Water to Develop Acceleration Framework for SDG 6” 4 February 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Global Tourism Initiative to Reduce Plastics Pollution” 4 February 2020

[Science](#): Voosen P “Global warming is speeding up Earth’s massive ocean currents” 5 February 2020

[Science](#): Malsbury E “Samples from famed 19th century voyage reveal ‘shocking’ effects of ocean acidification” 3 February 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Leone F “2,020 Advocates to World Leaders: We are Watching You” 6 February 2020

[IISD](#) SDG Knowledge Hub: Leone F “UN Reports on System-wide Tools for SDG Data” 6 February 2020

[IISD](#) SDG Knowledge Hub: Leone F “Five Countries to Present Voluntary National SDG Reviews in 2021” 6 February 2020

[IISD](#) SDG Knowledge Hub: Trombitcaia I “Integrating SDGs into Environmental Performance Reviews: Lessons Learned in Europe” 4 February 2020

[IISD](#) SDG Knowledge Hub: Anderson L “IUCN [Report](#) Connects Gender-based Violence to Environmental Degradation” 4 February 2020

[Bulletin](#) of the Atomic Scientists: Drollette D “Wildfire in Australia: Is NASA pushing its luck?” 31 January 2020

[IISD](#) SDG Knowledge Hub: Leone F “Secretary-General Moderates First UN75 Dialogue, Civil Society Developing Governance Recommendations” 4 February 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa and ELA Western Cape Joint Event – Formalising informal settlement: legal and institutional challenges – Save the date!

Date: 19 February 2020 at 17h30

Venue: Rondebosch Golf Club

More information to follow

IAIAsa Gauteng Event: Incorporating IFC Performance Standards in EIA

Date: 18 February 2020

Time: 09:00-13:30

Venue: Zitholele Consulting, Maxwell Office Park, Waterfall City, 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](#)

University of Cape Town, Graduate School of Business Short Course: Finance, Contracts and Risk Mitigation for Power Investment in Africa

Dates: 9-13 March 2020

More [information](#)

ASSAf Workshop and Launch of report on Neonicotinoid Insecticides: Use and Effects in African Agriculture A Review and Recommendations to Policymakers

Date: 18 March 2020

Time: 09:30-16:30

Place: TBC Pretoria

[Registration](#)

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

NWU CEM Courses

- CEM-02.1.1 Environmental law

Dates: 23 - 27 March 2020

For more information contact Rosy Moloto (018) 299 2725 / Nonzuzu Seleka (018) 299 1470

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](#)

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Contact: Submissions via the landing page on the conference website.

Questions via the website or to [Tanya Stephens](#) or [Joanna Botha](#)

Leaders for Justice Southern Africa Workshop: Legal and Economic Framework for the Protection of Human Rights in Southern Africa'

Date: November 2020

KAS' Rule of Law Program for Sub Saharan Africa in collaboration with Prof. Hartmut Hamann (from Germany) has been holding regional workshops on topical issues targeting young (ideally 35 years and below) but experienced scholars, researchers, practitioners (private, corporate and state attorneys, judicial officers, prosecutors etc) in a bid to inspire them to devise practical solutions to the challenges that could be facing their respective countries and regions. This is meant to build a network of like-minded young Africans who can contribute towards the attainment of a progressive continent whose peace, stability and development is anchored in the principles of the rule of law, respect for human rights as well as inclusive and participatory democracy.

For the first time, such a workshop is planned for Southern Africa in the month of November 2020.

With this note, I request you to suggest suitable names of persons who think could contribute as well as benefit from such fora from your countries and the Southern Africa region at large.

The workshop's theme is.

The nominees will be required to submit an abstract of between 250 -300 words to the undersigned on the topic that they would like to discuss. The best 25 abstracts will be given an opportunity to prepare a paper that will be presented at the aforementioned workshop and subsequently published in the KAS Law Study Library Series published by NOMOS.

LaRSSA Photo Competition

Date: 01 February 2020 - 31 July 2020

Share your graphic interpretations of rehabilitation and its drivers to showcase lessons, innovation and the role of rehabilitation in creating a sustainable future for all.

1st Prize: Free registration for the LaRSSA conference and pre-conference workshop (*excluding accommodation and travel*)

2nd Prize: Free attendance of the pre- conference workshop and meet and greet function. (*excluding accommodation and travel*)

3rd Prize: Free LaRSSA membership for one year including access to membership benefits such as website access and members event discounts.

Lucky Draw: A mystery prize will be awarded to one of the LaRSSA members who participates in the competition voting / adjudication process.

Categories:

Get creative and enter as many of your best photographs under one of the following categories

A. Land rehabilitation for sustainable land use (*sustainable agriculture, habitat reclamation, protection of ecological infrastructure or similar*)

B. The transformative power of rehabilitation on a large and small scale (*Industrial rehabilitation, pollution remediation, transformation of lives, communities or landscapes*)

To enter and for rules, terms and conditions, please [follow this link](#).

SAEEC Networking, AGM and Carbon Tax Workshop

Date: 19 February 2020

Venue: Afrique Boutique Hotel, Boksburg

- **National Treasury, Catalyst Solutions, EcoMetrix Africa, IEPA: Carbon Tax Workshop**

Time: 08:30 - 10:00

[Booking](#) is essential

- **SAEEC AGM (members Only)**

Time: 10:00-12:00

[RSVP](#)

- **Network Luncheon**

Time: 12:00-12:45

- **Carbon Tax Workshop**

Time: 12:30-15:30

More [information](#)

[Registration](#)

International

IUCN Academy of Environmental Law and Tilburg Sustainability Center Workshop: Enhancing Urban Climate Resilience: The Role of Law

Date: 10 September 2020

Place: Tilburg University, Netherlands

Abstract submission deadline: Monday 2 March 2020

Please submit abstracts of no more than 300 words to [Dr Angela van der Berg](#)

Registration deadline: Monday 3 August 2020 – registration is compulsory, please register [here](#)

For any inquiries, contact [Dr Angela van der Berg](#)

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

Abstracts: 1 March 2020

More [information](#)

8th Annual Sabin Colloquium for junior scholars (one month left to register)

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.

Lewis & Clark Law School: Webinar on the Outcomes of COP25 - Implications for the Climate Vulnerable

Date: 10 February 2020

Time: 11am EST

We hope you can attend - no need to register, just attend via [zoom](#)

More information can be found [here](#)

Webinar on Energy Efficiency and Designing for Sustainability in Humanitarian Response

This webinar will discuss the different approaches for making humanitarian operations energy-efficient and also how they contribute to the overall sustainability of humanitarian operations. ICRC will present its sustainability and energy efficiency principles. NRC Jordan and MSF will then highlight the green building program in Jordan and solar-powered AC systems for humanitarian operations respectively.

When: 20 Feb, Thursday at 10:30 am CET (check your [local time](#))

Register [here](#)

NEWS

National

- **Biodiversity, protected areas and culture**

Hyman A "Koreans fined R5m as poachers target SA's succulent treasure chest" [TimesLive](#) 1 February 2020 [provided by Inge Snyman]

Mabuza E "Rhino poaching declined again in 2019, says environment minister" [TimesLive](#) 3 February 2020 [Legalbrief Environmental 4 February 2020]

Criminal: Two abalone poachers jailed for five years

"Two abalone poachers were recently sentenced to five years' imprisonment for contravening the Marine Living Resource Act 18 of 1998. A Cape Times report notes that Wei Hua Li and Martin Ngale were found guilty in the Wynberg Magistrate's Court. During their sentencing, it was disclosed that the suspects had previous cases of illegal possession of abalone; one had been released on parole at the time of his arrest, while the other had a pending matter which was finalised. Wei Hua Li was sentenced to five years, of which two were suspended for five years with strict conditions. He also received an additional year's imprisonment for another abalone case. Meanwhile, Ngale was sentenced to five years' direct imprisonment. The pair were arrested on 25 September last year in Rondebosch,

and abalone worth R1.8m, as well as drying equipment, were seized during a search-and-seizure operation.

Full Cape Times report (subscription needed) Legalbrief Environmental 4 February 2020

Pinnock D and Walters T “Coronavirus source found in pangolin meat” [Daily Maverick](#) 7 February 2020

Paap T “Trees in South Africa are under attack. Why it's proving hard to manage” [Bizcommunity](#) 6 February 2020

Stevens S “South Africa's biodiversity tax incentive is taken to scale” [Bizcommunity](#) 7 February 2020

- **Climate change and energy**

Smith C “Eskom transmission business will be 'self-standing' within a month, says Gordhan” [fin24](#) 4 February 2020 [Legalbrief 5 February 2020]

Secombe A “SA looking at creating new energy producer outside Eskom, says Mantashe” [Business Day](#) 4 February 2020 [Legalbrief Environmental

“CER challenges government secrecy on climate emissions” [CER](#) 28 January 2020 [Legalbrief Environmental 4 February 2020]

Mabuza E “Business must fight climate change now, says banker Sim Tshabalala” [TimesLive](#) 30 January 2020 [Legalbrief Environmental 4 February 2020]

Postman Z “Activists call for government to declare climate emergency” [GroundUp](#) 31 January 2020

Hunter Q “Unfair to expect Africa to shoulder burden of climate change alone, Ramaphosa tells AU” [TimesLive](#) 8 February 2020

“Togo breaks ground on West Africa's largest solar PV project” [Bizcommunity](#) 6 February 2020

“Carbon tax is unavoidable, time to turn to analytics tools” [Bizcommunity](#) 5 February 2020

- **Local government**

Bhengu L “KZN municipal worker arrested for allegedly stealing millions meant for Eskom” [fin24](#) 4 February 2020 [Legalbrief 5 February 2020]

Githahu M “Cape Town being celebrated for Day Zero resilience” [IOL](#) 28 January 2020 [Legalbrief Environmental 4 February 2020]

Saba A “Sisulu and the bucket toilet stink” [Mail & Guardian](#) 7 February 2020

Maeko T “Council officials must explain wastage or pay up” [Mail & Guardian](#) 8 February 2020

“‘There is money in the soil’ - Women empower their communities with small-scale farms” [News24](#) 7 February 2020

“Cape Town to host SA's first Biodegradable Festival” [Bizcommunity](#) 6 February 2020

- **Mining**

Stoddard E “First payments to claimants in historic silicosis settlement set for second quarter of 2020” [Daily Maverick](#) 6 February 2020 – read also [Financial Mail](#) [Legalbrief 6 February 2020]

Secombe A “Froneman: Business must unite against government efficiency” [Business Day](#) 5 February 2020 [Legalbrief 6 February 2020]

Smith C “State capturers who wanted a piece of the mining pie must be brought to book - Minerals Council president” [fin24](#) 4 February 2020 [Legalbrief 5 February 2020]

Githahu M “Mining Indaba: SA ‘lagging behind other mineral-rich countries in transparency’” [IOL](#) 5 February 2020 [Legalbrief Forensic 6 February 2020]

Rafapa M “Communities picket against mining bills” [GroundUp](#) 31 January 2020 [Legalbrief Environmental 4 February 2020]

Duncan C “South Africa: Nine illegal miners stoned to death in ‘barbaric attack’” [The Independent](#) 2 February 2020

Mauroni A “Amnesty urges Africa mining conference to address rights violations” [The Jurist](#) 3 February 2020

Smith S “Changes to mining Act need work” [Mail & Guardian](#) 7 February 2020

Yang J *et al* “The coronavirus is making the coal market a bit bullish” [Business Day](#) 8 February 2020

- **Water, oceans, waste and chemicals**

Waste: Makhanda residents sue municipality over sewage spills

“Makhanda continues to endure raw sewage that flows down streets, past schools and human settlements and into homes. As reported previously in Legalbrief Environmental, a group of residents has had enough. A Daily Dispatch report notes that the 10 applicants are now taking Makana municipality, the Sarah Baartman District Municipality and the provincial and national governments to court over the dire sewage spills which contaminate the city and its waterways. While Makana Mayor Mzukisi Mpahlwa last week claimed the municipality had turned a corner and had dramatically improved its service delivery, court papers filed on behalf of aggrieved residents suggest otherwise. They depict a horror situation across the entire city of Makhanda with its many stormwater drainage systems and natural waterways mixed with raw sewage. The Legal Resources Centre (LRC), which is acting for the 10 people who have been affected by constant sewage spills, says the court case is also being brought in the public interest. In a 90-page affidavit, one of the applicants, Vusi Mthombeni, sets out in stark detail how hundreds of citizens battle the rivers of sewage all over the city. Mthombeni, who owns a house in Makhanda which is constantly under sewage, is also a freshwater ecologist with the Department of Environmental Affairs. He said most of the sewage spills had persisted for more than a year with minimal intervention from the Makana municipality despite hundreds of complaints. LRC attorney Cecile van Schalkwyk said the respondents had until 14 February to indicate whether they intended

defending the application. Full Daily Dispatch report (subscription needed) Legalbrief Environmental 4 February 2020

"Bugs are winning the war against Hartbeespoort's hyacinths" [The Citizen](#) 28 January 2020 [Legalbrief Environmental 4 February 2020]

Ngubane N "Unpaid asbestos removal workers close primary school" [GroundUp](#) 6 February 2020

Isaac J "Mthatha school has been waiting 18 months for pit toilets" [GroundUp](#) 5 February 2020

Theron J and Hattingh M "Sick Durban river spoils popular recreational lagoon - Civil action could address pollution in Mdloti river" [GroundUp](#) 3 February 2020

Macupe B "Impossible choices in QwaQwa: What it takes to get water" [Mail & Guardian](#) 7 February 2020

- **Miscellaneous**

Matiwane Z "Premier calls for KwaZulu-Natal to be declared a disaster zone" *TimesLive* 6 February 2020 [Legalbrief 7 February 2020]

General: MTN appeals Zeekoeivlei cellphone mast ban

"Cellular network giant MTN has appealed a decision against the erection of a signal tower in Skipper's End, Zeekoeivlei, arguing they were trying to address their customers' needs. According to a Cape Times report, the decision to appeal has been criticised by ratepayers. The issue dates back to 2018 when the Municipal Planning Tribunal rejected the decision to erect a cell tower in the area. Tom Schwerdtfeger, of The Friends of Zeekoeivlei and Rondevlei, an NPO formed in 2007 to promote and preserve local environmental interests, said that they were 'dismayed' by the appeal, which had no consideration for the preservation of the area's national heritage. 'This area is under attack from a number of developers wanting to exploit the open spaces for purely financial gain. If The Friends of Zeekoeivlei and Rondevlei and our many supporters do not mobilise against these developments, the area that is enjoyed by so many will just dwindle and be incorporated into the City and be lost forever,' he said. MTN communications manager Mthokozisi Ndlovu said the appeal was about attempting to address their customers' needs related to coverage and enhanced quality."

Full Cape Times report (subscription needed) Legalbrief Environmental 4 February 2020

Agriculture: Auctioneer arrested for deliberately spreading cattle virus

"An auctioneer suspected of deliberately spreading foot-and-mouth disease (FMD) in Limpopo has been arrested, the Department of Agriculture, Land Reform and Rural Development said last week. According to a Cape Times report, the arrest came after the department reported a 'suspicious' spread of FMD to police. The suspect was charged with the contravention of the Animals Diseases Act, as it was alleged he knowingly received cloven-hoofed animals that were moved out of the FMD controlled area, and sold them at various auctions. The suspect appeared in court last week where the case was postponed to 23 March for further investigation. FMD is a highly contagious viral disease that affects cattle, pigs, sheep, goats and other cloven-hoofed animals. Signs of disease may include sores

in the mouth of animals, causing a reluctance to eat, and lameness. The department urged anyone who may have bought cattle from the suspect, or through any suspicious transactions, or with information in connection with the illegal movement of cloven hoofed animals out of the FMD controlled area to contact the department's Law Enforcement Unit and their local state veterinary services, as soon as possible.

Full Cape Times report (subscription needed) Legalbrief Environmental 4 February 2020

International

- **Biodiversity, protected areas, animal rights and culture**

McNeil S *et al* "China temporarily bans wildlife trade in wake of outbreak" [Conservation Action Trust](#) 28 January 2020 [Legalbrief Environmental 4 February 2020]

Gujral Z "Federal judge approves Chipotle settlement over misleading non-GMO ads" [The Jurist](#) 4 February 2020

Fischer M "Considerations are being made to decriminalize the accidental killing of birds" [The Jurist](#) 2 February 2020

"Somalia declares locust infestation a 'national emergency'" [TimesLive](#) 3 February 2020

Piou C "Locust invasions are cyclical: African states shouldn't be caught napping" [Bizcommunity](#) 7 February 2020

Benza B "Botswana auctions permits to hunt elephants to ease human-wildlife conflict" [IOL](#) 7 February 2020

Sellers FS "Hunting for a solution as wildlife conservation loses funding" [The Independent](#) 8 February 2020

Cockburn H "Bumblebees face mass extinction amid 'climate chaos', scientists warn" [The Independent](#) 7 February 2020

Cockburn H "Asian hornet invasion spreads to northern Germany, posing major threat to European bees" [The Independent](#) 7 February 2020

Cockburn H "Biodiversity crisis: Habitat loss, pesticides and light pollution pushing fireflies to extinction, scientists warn" [The Independent](#) 5 February 2020

Beament E "Wildlife emerging months earlier than normal as winters 'lost' to climate change" [The Independent](#) 4 February 2020

Cox L "'Massive relief': torrential rain douses bushfires across parts of Australia" [The Guardian](#) 7 February 2020

Morris S "Bristol declares ecological emergency over loss of wildlife" [The Guardian](#) 4 February 2020

Weston P "Loss of EU protections could imperil UK hedgehogs, report says" [The Guardian](#) 3 February 2020

"Four rare mountain gorillas 'die in Uganda lightning strike'" [BBC](#) 8 February 2020

“More than 50,000 urban trees to be planted in England” [BBC](#) 8 February 2020

“Scientists find 75-90 % decline in Leopard population in India” [The Times of India](#) 7 February 2020

- **Climate change and energy**

Crowe D “Australians back climate change action while science divides along party lines” [Sydney Morning Herald](#) 4 February 2020

Natter A “Trump Withholding \$823 Million for Clean Energy, Democrats Say” [Bloomberg Green](#) 5 February 2020

Doff N “Putin Aide Tells Companies to Prepare for Harsh EU Carbon Tax” [Financial Post](#) 6 February 2020

“Court rejects California’s request for delays in DOJ lawsuit challenging ETS linkage” [Carbon Pulse](#) 7 February 2020

“China’s Virus Clampdown Is Cutting Emissions, But Not for Long” [Bloomberg News](#) 5 February 2020

“UK’s Drax back on Norway wealth fund’s radar after shift away from coal” [Reuters](#) 6 February 2020

Davenport C “Justice Department Drops Antitrust Probe Against Automakers That Sided With California on Emissions” [New York Times](#) 7 February 2020

Carrington D “EU urged to adopt meat tax to tackle climate emergency” [The Guardian](#) 4 February 2020

Dougherty J “Renewable energy firm shareholder sues to block acquisition by Canada pension fund” [The Jurist](#) 5 February 2020

Sullivan M “California lawmaker pushes to make PG&E a publicly owned utility after wildfires” [The Jurist](#) 4 February 2020

Dougherty J “Texas high court ends \$500 million battle between two oil firms” [The Jurist](#) 3 February 2020

“Militants hit gas pipeline in Egypt’s Sinai” [TimesLive](#) 3 February 2020

Metcalf T and Yi Mak P “These billionaires made their fortunes by trying to stop climate change” [IOL](#) 8 February 2020

Duncan C “Climate change: Antarctica experiences record-high temperature of more than 18C” [The Independent](#) 7 February 2020

Cockburn H “Climate crisis: January 2020 was warmest since records began” [The Independent](#) 6 February 2020

Drury C “Climate crisis: Massive hole opens up under Antarctic glacier which could lead to catastrophic sea level rises” [The Independent](#) 6 February 2020

Ho V “Economic casualties of the climate crisis: wine country businesses say no one is coming” [The Guardian](#) 8 February 2020

Mohan V “CPCB threatens to shut down 14 coal-fired power plants which failed to limit emissions” [The Times of India](#) 5 February 2020

- **Local government**

“Stopping Venice choking on its own pollution” [BBC](#) 8 February 2020

- **Mining**

Tasker JP “In a major victory for Trans Mountain, Federal Court dismisses Indigenous appeal of project's approval” [CBC](#) 3 February 2020 – read also [The Jurist](#)

Zimbabwe: 4 000 illegal miners arrested

“Drones, armed guards, CCTV, security dogs, electric fences and counterintelligence operatives have failed to keep thousands of illegal panners and smugglers out of Zimbabwe’s diamond-rich Marange fields. The government-owned Zimbabwe Consolidated Diamond Company (ZCDC) says it is now increasing security further after admitting that at least 4 000 diamond panners and smugglers were arrested last year. The Sunday Times reports that chief security officer, Elias Mvere, said a number of panners who were ‘seeking festive fortunes’ were detained in December. Sources at the mine claim the robbers had inside information. The ZCDC is considering having its CCTV monitored from Harare so no-one at the mine can tamper with evidence linked to crimes.”

Full Sunday Times report (subscription needed) Legalbrief Africa 3 February 2020

“Zimbabwe mine collapse traps 20 underground” [TimesLive](#) 6 February 2020

Morton A “Big polluters again allowed to lift emissions without penalty” [The Guardian](#) 7 February 2020

“Private investors won't touch new Coalition-backed coal plant, Labor says” [The Guardian](#) 8 February 2020

- **Water, waste, oceans and chemicals**

Mindock C “The Americans who say ‘toxic soup’ tap water has given them cancer” [The Independent](#) 7 February 2020

Boffy D “EU states clash over use of toxic mercury in light bulbs” [The Guardian](#) 7 February 2020

Laville S “Push for bathing water quality hailed as 'game changer' for UK rivers” [The Guardian](#) 6 February 2020

Foley M “Dangerous cladding to be recycled in bid to end waste crisis” [Sydney Morning Herald](#) 9 February 2020

Hannam P “Heavy rains to top up dam storage levels but raise contamination risks” [Sydney Morning Herald](#) 7 February 2020

“Using technology to plug wastage in Africa's agri value chain” [Bizcommunity](#) 6 February 2020

- **Miscellaneous**

Rizvi A “Brazil judge upholds injunction prohibiting investigation into journalist Glenn Greenwald” [The Jurist](#) 7 February 2020

Gillett T “FDA holds first hearing on asbestos in talc in 50 years” [The Jurist](#) 5 February 2020

Ndlovu R “Zimbabwe lifts ban on genetically modified corn imports to avert famine” [IOL](#) 1 February 2020

Blanchard T “Choose vintage, avoid stretch: how to wear jeans sustainably” [The Guardian](#) 5 February 2020

Fuller G “Pollutionwatch: where would we be without EU environmental laws?” [The Guardian](#) 30 January 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

UCT: Director: Occupational Health, Safety and Environmental

Closing date: 28 February 2020

More [information](#)

Department of Environmental Affairs: Senior Legal Administration Officer (MR6): Litigation and Legal Support (LACE21/2019)

Closing date: 17 February 2020

More [information](#)

Department of Environmental Affairs: Senior Legal Administration Officer (MR6): Law Reform (LACE19/2019)

Closing date: 17 February 2020

More [information](#)

Department of Environmental Affairs: Director: Law Reform (LACE 17/2019)

Closing date: 17 February 2020

More [information](#)

Department of Environmental Affairs: Senior Legal Administration Officer (MR6): Appeals and Legal Review (LACE18/2019)

Closing date: 17 February 2020

More [information](#)

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

Discount available for ELA members.

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14 February 2020

BILLS

Draft Auditing Profession Amendment Bill, 2020 – Gen Notice 56 in GG 43009 of 10 February 2020 - Explanatory summary

ACTS

Competition Amendment Act 18 of 2018 - Proc 10 in GG 43018 of 13 February 2020 – commencement of section 5 – 13 February 2020

National Research Foundation Amendment Act 19 of 2018 - Proc 9 in GG 43015 of 14 February 2020 – commences 1 April 2020

NOTICES

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 - GN 119 in GG 43008 of 10 February 2020 - Regulations governing the maximum limits for pesticide residues that may be present in foodstuffs amended

Plant Breeders' Rights Act 15 of 1976 - GN 124 in GG 43015 of 14 February 2020 - Receipt of applications for plant breeders' rights

Plant Improvement Act 53 of 1976 - GN 125 in GG 43015 of 14 February 2020 - Regulations relating to establishments, varieties, plants and propagating material amended

Agricultural Pests Act 36 of 1983 - GN R166 in GG 43016 of 14 February 2020 - Control Measures amended

Agricultural Pests Act 36 of 1983 - GN R167 in GG 43016 of 14 February 2020 - Regulations amended

National Water Act 36 of 1998 - GN 165 in GG 43015 of 14 February 2020 - Determination of water resource classes and resource quality objectives for the Mzimvubu Catchment

Diplomatic Immunities and Privileges Act 37 of 2001 - GN 130 in GG 43015 of 14 February 2020 - Notice of recognition of the Twenty Second Session of the African Forestry and Wildlife Commission and the Sixth African Forestry and Wildlife Week for the purposes of granting of immunities and privileges

Animal Identification Act 6 of 2002 - GN 123 in GG 43015 of 14 February 2020 - Regulations amended

National Environmental Management: Waste Act 59 of 2008 - GN 172 in GG 43022 of 14 February 2020 - Extension of comment period on the Draft National Waste Management Strategy

Auditing Profession Act 26 of 2005 - BN 9 in GG 43015 of 14 February 2020 - Proposed amendments to the Code of Professional Conduct for Registered Auditors - for comment

PROVINCES

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 22 in PG 4382 of 10 February 2020 - Buffalo City Metropolitan Municipality: Draft Fresh Produce Market By-law

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 9 in PG 3128 of 14 February 2020 - City of Mbombela Local Municipality - Spatial Planning and Land Use Management By-Law

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20060 in PG 8202 of 7 February 2020 - Langeberg Local Municipality: Events By-law

National Environmental Management: Protected Areas Act 57 of 2003 - PN 12 in PG 8207 of 14 February 2020 - Haarswegskloof Nature Reserve - for comment

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20069 in PG 8207 of 14 February 2020 - George Local Municipality - Appointment of the Eden Joint Municipal Planning Tribunal members

Constitution of the Republic of South Africa, 1996 - LAN 20072 in PG 8207 of 14 February 2020 - Drakenstein Local Municipality - By-law Relating to the Use of Remotely Piloted Aircraft and Model Aircraft in Public Open Spaces and Streets

CASES

National

Eskom Holdings SOC Limited v National Energy Regulator of South Africa and Others (74870/2019) [2020] ZAGPPHC 2 (10 February 2020)

[1] This is an application for urgent relief ("Part A") by the applicant ("Eskom") pending an application in terms of the Promotion of Administrative Justice Act ("PAJA") for judicial review and setting aside of a decision taken by the first respondent (National Energy Regulator of South Africa ("NERSA")) in relation to an application by Eskom for electricity

tariff increases for the 2019/2020, 2020/2021 and 2021/2022 financial years ("Part B").

PUBLICATIONS

International

Mac Dowell N, Fennell P, Shah N *et al* "The role of CO₂ capture and utilization in mitigating climate change" 2018 7 [Nature Clim Change](#) 243–249

McElfish, Jr JM "Practitioners' Guide to the Proposed NEPA Regulations" ([ELI Report](#) February 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[News24](#): Crous M "Watch | An undercover look inside one of the world's biggest hunting conventions" 13 February 2020

The URL for the South African National Red List for animal species is changed from <http://bgis.speciesstatus.sanbi.org/> to <http://speciesstatus.sanbi.org/>; and

The URL for the South African National Red List for plant species is changed from <http://bgis.speciesstatus.sanbi.org/> to <http://redlist.sanbi.org/>

- **Climate change and energy**

[TimesLive](#): "Hunger stalks Southern Africa as climate crisis deepens - About 60% of Zimbabwe's 15-million people are now food insecure" 14 February 2020

[The Conversation](#): Calland R "Countering climate denialism requires taking on right-wing populism. Here's how" 12 February 2020

[The Conversation](#): Crompton R "Explainer: why South Africa's energy generator is in so much trouble" 10 February 2020

- **Local government**

[Reuters](#): Tabary Z "Art and technology expose 'hidden inequalities' in cities" 10 February 2020

[GroundUp](#): Khan F and Hattingh M "Schools threaten legal action over 'dump' - "The Pietermaritzburg landfill could be an economic opportunity instead of an environmental nightmare" 10 February 2020

[GroundUp](#): Damba-Hendrik N and Isaac I "Residents tell Eastern Cape Premier they have lost all faith in their municipality - Various attempts to fix Amahlathi have failed" 7 February 2020

- **Mining**

[GroundUp](#): Postman Z “Information on mining applications should be public, Xolobeni activists tell court - Mining company opposes application by Amadiba Crisis Committee” 11 February 2020

- **Water, oceans, waste and chemicals**

[The Conversation](#): Hodes R “Medical waste offers insights into South Africa’s use of pharmaceuticals” 12 February 2020

- **Miscellaneous**

[Science](#): Wild S “This powerful observatory studying the formation of galaxies is getting a massive, \$54 million expansion” 7 February 2020

[Mail & Guardian](#): Du Plessis M “Grass roots of Ice-Age extinctions” 14 February 2020

Africa

- **Biodiversity, protected areas, animal rights and culture**

[4x4Community](#): “Tanzania to split Selous Game Reserve and establish new national park” July 2020

[TimesLive](#): Senne B “Threats of famine if desert locust crisis continues in East Africa: UN” 14 February 2020

[Science](#): Stokstad E “In Somalia, an unprecedented effort to kill massive locust swarms with biocontrol” 12 February 2020

- **Climate change and energy**

[allAfrica](#): “Climate Change Can Set the Stage for Violent Conflict – Expert” 14 February 2020

[allAfrica](#): “Africa: Climate Change Opens Up 'Frontier' Farmland, but At What Cost to the Planet?” 15 February 2020

[allAfrica](#): “Africa: How Climate Change Contributes to Insecurity” 14 February 2020

- **Local government**

[BBC](#): “Kenya - where toilets have become a constitutional right” 9 February 2020 – find the case [here](#)

- **Mining**

[The Independent](#): James L “South Sudan government buried reports which suggest oil pollution is causing miscarriages and 'alarming' birth defects in children” 14 February 2020

- **Water, oceans, waste and chemicals**

[Mail & Guardian](#): Ubomba Jaswa E “Why we need more women to work in water research” 11 February 2020

- **Miscellaneous**

[The Conversation](#): Fitchett J “Kenya is experiencing strange weather. What’s behind it” 13 February 2020

[Mail & Guardian](#): “Shisha pipes smoke out Egypt’s charcoal makers” 14 February 2020

International

- **Biodiversity, national parks and culture**

Arizona legislature Bill: [HB2749](#) – will declare information on endangered species as confidential information – see an article on a similar provision in Texas [here](#)

[ENN](#): “Scientists Warn Humanity About Worldwide Insect Decline” 10 February 2020

[Place](#): Moloney A “Half of top businesses lack commitment to prevent supply-chain deforestation – report” 12 February 2020

[Science](#): Rochmyaningsih D “Wildfire researcher deported amid growing rift between Indonesian government and scientists” 12 February 2020

[IISD](#) ENB: 13th Meeting of the Conference of the Parties to the Convention on Migratory Species of Wild Animals - 15-22 February 2020 | Gandhinagar, India

[The Jurist](#): Sullivan M “China legislature to amend wildlife protection law to fight coronavirus outbreak” 12 February 2020

- **Climate change and energy**

[NDC](#) Off-Grid Alternatives: Renewable Energy Off-Grid Explorer - Visualization of Electrification Scenarios until 2030 – more [information](#)

[Bloomberg Green](#): Hodges J and Wilkes W “Electrifying Europe’s Factories Would Slash Emissions by 2050” 11 February 2020

[Climate Home News](#): “Shipping could raise ambition of 2030 climate target, study shows” 11 February 2020

[IISD](#) SDG Knowledge Hub: Antonich B “Making Finance Flows Consistent with the Paris Agreement” 11 February 2020

[Baker Schutz](#): “Baker Schutz Dividends Plan Bipartisan Climate Roadmap (February 2020)

[EY Tax News](#): “EY report examines impact of carbon taxes on key industries” 12 February 2020

[IAIA Blog](#): Let’s ground our climate castles in the sky” (February 2020) [IAIA News 14 February 2020]

[BBC](#): “Climate change: Where we are in seven charts and what you can do to help” 14 January 2020 [IAIA News 14 February 2020]

[GHNRE](#): Townsend D “Outcomes of COP25 – Watch the GHNRE Webinar! 13 February 2020

[The Guardian](#): Carrington D “Christiana Figueres on the climate emergency: ‘This is the decade and we are the generation’” 15 February 2020

[The Guardian](#): Harvey F “PM must prioritise climate or Cop26 will fail, say leading figures” 14 February 2020

[The Guardian](#): Figueres Christiana and Rivett-Carnac Tom “‘Air is cleaner than before the Industrial Revolution’: a best case scenario for the climate in 2050” 15 February 2020

- **Local government**

[IISD](#) ENB: 10th Session of the World Urban Forum (WUF10) Cities of Opportunities: Connecting Culture and Innovation - 8-13 February 2020 | Abu Dhabi, United Arab Emirates (UAE)

[Place](#): Elks S “Green transport set to overtake cars in world's major cities by 2030” 10 February 2020

[Place](#): Rowling M “Cities experiment with big ideas to confront 'climate emergency'” 7 February 2020

[Place](#): Lavietes M “Rising seas threaten to drown New York's airports by 2100” 5 February 2020

[Place](#): Chandran R “Traditional markets blamed for virus outbreak are lifeline for Asia's poor” 7 February 2020

[Place](#): Tabary Z “Trees alone can't win fight against soaring heat, cities warned” 12 February 2020

[UNEP](#): “Environment Agency – Abu Dhabi, UNEP launch new socio-technology platform IRIS-3 at World Urban Forum” 10 February 2020 [IAIA news February 2020]

- **Mining**

[University of Queensland](#): “UQ researchers develop framework for climate change mitigation in mining” 4 February 2020

[University of Queensland](#): “Online hub for Indigenous peoples and mining” 10 February 2020

[University of Queensland](#): “The Relevance of Dialogue: Beyond Social Licence to Operate” 7 February 2020

- **Water, oceans, waste and chemicals**

[Science](#): Cantwell M “Maps of a now-submerged land help reconstruct the lives of ancient Europeans” 13 February 2020

[The Independent](#): Hughes K “20 pledges for 2020: As everyone's ditching plastic, I'm feeling like less of an outsider for using glass milk bottles” 15 February 2020

[The Guardian](#): Weston P “What lies beneath: the nature park covering up a dirty secret” 15 February 2020

- **Miscellaneous**

[Vatican Bulletin](#): “The Amazon: New Paths for the Church and for an Integral Ecology” 12 February 2020

[IAIA](#): Fastips on EIA matters [IAIA news February 2020]

IAIA webinars: Find webinars on various topics [here](#)

[Place](#): Lavietes M “Each day, fossil fuel air pollution costs \$8 billion, study says” 12 February 2020

[Science](#): Stokstad E “Deadly air pollution is blowing into your state from a surprisingly large source” 12 February 2020

[Science](#): Randall I “The real ‘paleo diet’ may have been full of toxic metals” 14 February 2020

[Science](#): Travis J “Watch the winner of this year’s ‘Dance Your Ph.D.’ contest” 14 February 2020 (last one on climate change)

[Science](#): King P “Judge tosses EPA policy that barred agency grantees from serving as science advisers” 11 February 2020

Hothouse Earth [Podcast](#): “Environmental justice: On the streets and in the courts: the youth climate movement” February 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date!

Date: 3-5 September 2020

Place: Gauteng

University of Cape Town, Graduate School of Business Short Course: Finance, Contracts and Risk Mitigation for Power Investment in Africa

Dates: 9-13 March 2020

More [information](#)

ASSAf Workshop and Launch of report on Neonicotinoid Insecticides: Use and Effects in African Agriculture A Review and Recommendations to Policymakers

Date: 18 March 2020

Time: 09:30-16:30

Place: TBC Pretoria

[Registration](#)

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

NWU CEM Courses

- CEM-02.1.1 Environmental law

Dates: 23 - 27 March 2020

For more information contact Rosy Moloto (018) 299 2725 / Nonzuzu Seleka (018) 299 1470

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](#)

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Contact: Submissions via the landing page on the conference website.

Questions via the website or to [Tanya Stephens](#) or [Joanna Botha](#)

International

IUCN Academy of Environmental Law and Tilburg Sustainability Center Workshop: Enhancing Urban Climate Resilience: The Role of Law

Date: 10 September 2020

Place: Tilburg University, Netherlands

Abstract submission deadline: Monday 2 March 2020

Please submit abstracts of no more than 300 words to [Dr Angela van der Berg](#)

Registration deadline: Monday 3 August 2020 – registration is compulsory, please register [here](#)

For any inquiries, contact [Dr Angela van der Berg](#)

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

Abstracts: 1 March 2020

More [information](#)

Private Actors, Climate Change and Energy Transition

Dates: 26-27 June 2020

Place: Monash University Prato Centre, Italy [Prato is located in Tuscany and is easily accessible by train from Florence or Pisa. There are a range of suitable accommodation options available.]

Hosted by Monash University, in collaboration with colleagues from the University of Dundee, University of Exeter, European University Institute, and the International Energy Charter, this research workshop will focus on a particular group of private actors (corporates, investors and financiers) and their role in society's response to climate change. Since the conclusion of the Paris Agreement in 2015, there has been an increased focus on the role that the private sector can, and must, play in order to reduce greenhouse gas emissions, transition to clean energy systems and support society's adaptation to climate change. Accordingly, a range of new regulatory strategies have emerged to address and engage with these private actors, including new applications and interpretations of duties and obligations under corporate law and financial regulation; state-led law and policy reform initiatives; and private, often investor-driven, regulatory initiatives to spur climate action in the private sector. At the same time, efforts have also intensified to hold these actors accountable for their historical and ongoing contributions to climate change and resulting loss and damage. Strategic private climate change litigation is expanding significantly around the world, and employing a range of different legal strategies including tortious liability, human rights, and company and investment law claims. This workshop aims to take stock of these drivers and trends and consider whether, how and why corporate, investor and financier behaviour is changing as a result. Given the location of the workshop, a particular focus will be on exploring & learning from European experiences and comparing this with other jurisdictions. The workshop will present research on the following themes and areas:

- Strategic climate litigation targeting private actors – including climate accountability, human rights and corporate and investment law claims;
- Legal and policy reform agendas to recast the role of private actors in relation to climate change and other environmental and social issues – including the EU Action Plan on Sustainable Finance, European Green Deal Investment Plan and similar initiatives around the world;
- Private governance initiatives – including climate risk disclosure models such as the Taskforce on Climate-related Financial Disclosures and investor-led engagement programs such as Climate Action 100+; and
- Empirical research on corporate, investor and financier behaviour on climate change and energy transition.

In conjunction with the workshop, there will also be a gathering of members of the Women's Network on Energy and Climate Law, a virtual community of energy and climate law scholars and practitioners. This is an opportunity to establish and expand the network in Europe and to bring together researchers and practitioners to share experiences and foster collaboration.

Format: The workshop will involve keynote presentations from invited speakers in policy, legal practice and academia, as well as four sessions of presentations.

Academics and practitioners are invited to submit a proposal to present a paper that aligns with the themes of the workshop. The organisers are exploring options for a selection of papers to be published in a themed special issue of a relevant academic journal following the workshop. Given time and space restrictions, participation is limited to approx. 15 speakers and 30 participants overall. Members of the Women's Network on Energy and Climate Law are warmly invited to participate and the Saturday morning session will be particularly targeted to networking and collaboration. There is no conference registration fee. Participants will need to cover their own travel, accommodation and costs. Expressions of interest to present a paper that aligns with the workshop themes are required by Monday 16 March. Please email your abstract proposal (no more than 500 words) to: [Anita Foerster](#)

For further information and to express your interest in participating in the workshop and the WECLN meeting, please direct your inquiries to the organisers below.

Dr. [Anita Foerster](#), Senior Lecturer, Business Law & Taxation, Monash University; Dr [Petra Minnerop](#), Lecturer in Law, School of Social Sciences, University of Dundee; Dr [Kim Bouwer](#), Lecturer, University of Exeter; Max Weber Fellow 2018-2019, European University Institute; Ms [Kinanya Pijl](#), PhD Researcher, European University Institute; Researcher, University of Amsterdam; Dr [Gökçe Mete](#), Head of Knowledge Centre, International Energy Charter.

Combine study & pleasure at Antwerp Summer University

Since 2010, Antwerp Summer University offers short-term academic programmes of high quality based on the excellence of the University of Antwerp and its partners. From a tiny initiative in 2010 with 70 students in 3 programmes, Antwerp Summer University has grown into an established Summer University, expecting over 500 students from over 60 countries in 2020.

Looking for an unforgettable summer full of knowledge and fun? Spread the word or apply now for one of the 27 summer schools!

- All programmes offer high quality education (lectures, visits, workshops).
- Participants can acquire ECTS credits upon successful completion.
- Target groups are different for each programme (students, researchers and/or professionals).
- Scholarships and reduced fees are available for various summer schools.
- Fun & interesting social activities are organised on evenings and in weekends.
- 98% of last year's participants would recommend Antwerp Summer University to others.

Visit the [website](#) and find out everything about our programmes!

Call for Papers Is Now Open for Oral and Poster Presentations at the Second Catalan Conference on Environmental Law – Climate Action and Energy Transition

Dates: 15 and 16 June 2020

Place: Tarragona Centre for Environmental Law Studies (CEDAT-URV) with the support of the Department of Territory and Sustainability of the Government of Catalonia.

Those interested in sending paper, please register via Conference web: [Call for papers](#).

Deadline: 19 April, 2020.

Length: Between 400 and 600 words.

Language: Catalan, Spanish or English.

EN 21 Presents: Webinar Renewables in Cities and Citizen Participation

Date: 18 February 2020

4:00 p.m. Johannesburg | 3:00 p.m. Paris | 2:00 p.m. London | 9:00 a.m. Washington

[Registration](#)

The Clean Energy Solutions Center, in partnership with REN21, will host this webinar on opportunities and roles for citizens to engage within their cities in the energy transition to renewables.

City residents can contribute in many ways, including by choosing renewable energy tariffs, switching to green suppliers, and becoming prosumers by installing their own systems or by participating in one of the growing numbers of community energy projects emerging in and around urban areas.

Join us to discuss how citizens are driving the energy transition at the local level with renewables. REN21 will present the key findings of their newly released Renewables in Cities — Global Status Report, with a focus on citizen participation. This will be followed by a presentation by Energy Cities with examples of participatory governance and citizen participation in European cities. There will be plenty of time for questions. Please join us to discuss how we can engage citizens better to ensure buy-in for renewable energy uptake.

Colorado Law 7th Annual Martz Winter Symposium A Green New Deal for Public Lands?

Date: 28 February 2020

Our terrific line-up of speakers includes several colleagues on this list as well as advocates, practitioners, and policy-makers from around the country. The conference introduction is below:

The Seventh Annual Clyde O. Martz Winter Symposium will probe a provocative set of questions about the past and future of one third of our nation's lands. Challenges to be addressed include: Are current public land laws and management regimes sufficient to tackle the overwhelming problem of climate change? Do the public lands serve all of the public, including historically marginalized groups? Should public lands management be integrated into the broader ecological, economic, and social fabric? How should public land managers address changing visitation and access patterns in the age of the internet and social media? Our panelists come from diverse backgrounds, professions, and points of view, and they will address these questions in

visionary and practical ways. The conference is for all who enjoy our public lands as well as those who want to learn more about them.

The full agenda is available [here](#)

Human Rights Centre of the University for Peace: Online diploma programmes in Human Rights and Forced Displacement and Sustainable Development and Human Rights

Dates: Commences 4 March 2020 and 18 March 2020 respectively.

The Diploma in Human Rights and Forced Migration can be obtained after completing the following five courses of six weeks each:

1. [Forced Migration and Human Rights](#): 04 Mar - 14 Apr, 2020
2. [Trafficking in Persons](#): 29 April - 9 Jun, 2020
3. [Protection of Refugees](#): 1 Jul - 11 Aug, 2020
4. [Protection of Stateless Persons](#): 2 Sep – 13 Oct, 2020
5. [Protection of Internally Displaced Persons](#): 28 Oct – 8 Dec, 2020

The Diploma in Sustainable Development and Human Rights can be obtained after completing five of the following six courses of six weeks each:

1. [Development and Human Rights](#): 18 Mar – 28 April, 2020
2. [Business, Human Rights, and Development](#): 13 May – 23 Jun, 2020
3. [Child Rights and Development](#): 15 Jul – 25 Aug, 2020
4. [Environment, Development, and Human Rights](#): 9 Sep – 20 Oct, 2020
5. [Gender, Development, and Human Rights](#): 4 Nov – 15 Dec, 2020
6. [Indigenous Peoples' Rights and Development](#): 13 Jan - 23 Feb, 2021

Enrolments are accepted on a rolling basis and participants can join the programmes with any course and complete the rest as per the cycle. Each of these courses can also be taken independently as self-standing courses.

Both programmes are intended for staff members of intergovernmental, governmental and non-governmental organizations, human rights practitioners and defenders in areas covered by the courses/diplomas, professionals working in the human rights, forced displacement and development sectors, academics and others interested in the covered areas. (Post)Graduate students with specific research interests in the areas covered by the programmes are also encouraged to apply.

For applying, candidates must send their CV and a short Statement of Purpose to [admissions](#).

For additional information, please visit the [website](#) or [email](#).

NEWS

National

- **Biodiversity, protected areas and culture**

Ngqakamba S “Conservation organisation launches World Pangolin Day awareness campaign” [News24](#) 15 February 2020

- **Climate change and energy**

Environmental: Eskom seeks another air quality exemption

“Eskom has again applied for exemptions from air quality legislation – this time citing the controversial ‘design challenges’ at the Medupi power plant as a reason.

Timothy Lloyd, an attorney at the Centre for Environmental Rights (CER), is quoted in Beeld as saying this is the fifth exemption application by the utility. Other reasons cited in the application include the aging Eskom fleet and an argument that many of the plants will be shut down in 10 years' time. Lloyd said Eskom had obtained an exemption from the legislation that took effect in April 2014, but the deadline for compliance was April 2020. Eskom earlier obtained a \$3.75bn loan for Medupi's construction from the World Bank and one of the conditions was that air filters had to be installed. However, this has not been done. The CER and environmental lobby-groups groundWork and Earthlife Africa are opposing the exemption application."

Full Beeld report (subscription needed) Legalbrief 13 February 2020

Mafole K "Municipalities can buy their own alternative power" [Daily Maverick](#) 14 February 2020

Gerber J "Greenpeace welcomes Ramaphosa's 'light bulb moment' on climate crisis" [News24](#) 15 February 2020

- **Local government**

Smith C "Cape Town pleased municipalities will be able to buy from IPPs - but it's still heading to court" [fin24](#) 15 February 2020

- **Mining**

Gernetzky K "AngloGold's sale of last SA mine is credit-positive, says Moody's" [BusinessLive](#) 14 February 2020

Faku D "Mining industry calls for government intervention to stop armed gangs at mines" [IOL](#) 16 February 2020

- **Water, oceans, waste and chemicals**

Mabuza E "Grateful activists give minister Sisulu 'space' to fix polluted Vaal River" [TimesLive](#) 11 February 2020 [Legalbrief 12 February 2020]

Kahn F and Hattingh M "Schools threaten legal action over 'dump'" [GroundUp](#) 10 February 2020 [Legalbrief 12 February 2020]

Environmental: Millions still needed to clean up Vaal

"It will be some time and many millions of rands before the broken sewerage systems along the Vaal River have been repaired and the river runs clean once more. A Times Select report notes while R141m has been allocated out of national coffers to get work started, a further R750m is expected from government once Parliament passes the 2020/21 budget. 'The full extent of the work will be established once all infrastructure has been exposed,' said Erwat MD Tumelo Gopane. Erwat – short for Ekurhuleni Water Care Company – now has the job of completing the work started by SANDF engineers who were deployed to Sebokeng in late 2018 as an emergency measure to unblock pipes and get pump stations and water treatment plants working again. The army's year-long deployment ended in November after some R1bn in promised funding from government failed to arrive. Gopane admitted much work still needed to be done to get the system working properly. An estimated 130m litres of untreated sewage was flowing into the Vaal River from broken treatment plants every day before the army engineers

arrived. While the army got pump stations and water treatment plants running again, the entire system needs a thorough overhaul.”

Full Times Select report (subscription needed) Legalbrief 14 February 2020

Craig N “Pics: Condition of the uMdloti River is an 'environmental disaster” [IOL](#) 16 February 2020

- **Miscellaneous**

- **Corruption: Report fingers white collar state capture operatives**

“A report by Open Secrets and London-based Shadow World Investigations puts bankers, lawyers, accountants and consultants squarely in the frame of the state capture project. Entitled *The Enablers: The bankers, accountants and lawyers that cashed in on state capture*, it pulls together the intricate threads of a campaign of corruption that is staggering in its reach and audacity. Moneyweb reports that it reveals that the Guptas stoked racial tensions in SA by promoting the meme ‘white monopoly capital’ to divert attention away from their looting. The report reveals that R5trn was lost to the economy over five years through state capture along with 5m job opportunities. In addition, R288m or 82% of the public funds spent on the Estina Free State dairy project was channelled to Gupta-controlled companies in Dubai and SA.”

Full Moneyweb report Legalbrief Forensic 13 February 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Karp P “High court rules Aboriginal Australians are not 'aliens' under the constitution and cannot be deported” [The Guardian](#) 11 February 2020

Perper R “Half a million mussels cooked to death at a New Zealand beach” [Business Insider](#) 15 February 2020

Ettinger Z “Photos show how life is returning to Australian forests that were devastated by wildfires” [Business Insider](#) 13 February 2020

- **Climate change and energy**

“California, intervenors see no legal basis for DOJ lawsuit challenging ETS linkage” [Carbon Pulse](#) 11 February 2020

Saunders C “Tougher climate change reporting proposed for UK pension schemes” [Out-Law](#) 12 February 2020 [Legalbrief 14 February 2020]

“Investors welcome Poland's decision to freeze last coal-fueled plant project” [Reuters](#) 14 February 2020

“Greenpeace activist applies for top job at Poland's coal-burning utility” [KFGO](#) 13 February 2020

Kelly S “EPA consulting White House over biofuel waiver program: source” [Reuters](#) 14 February 2020

Brugess M “Australian pension funds turning green at investors’ insistence” [BusinessLive](#) 15 February 2020

Gregory “Climate impact of flying could be cut significantly with small altitude changes, study suggests” [The Independent](#) 14 February 2020

Watts J “Antarctic temperature rises above 20C for first time on record” [The Guardian](#) 13 February 2020

- **Local government**

Willsher K “French ski resort moves snow with helicopter in order to stay open” [The Guardian](#) 16 February 2020

- **Mining**

Trade: Clouds over major Kenyan oil exploration project

“Tullow's latest job cuts announcement in Kenya has deepened doubts on the viability of the country's oil exploration. The multinational oil and gas exploration company which has been the principal operator of Project Oil Kenya, with Total Oil and Africa Oil as its joint partners, has been facing financial constraints. The East African reports that the group's workforce could be cut by approximately a third globally, with possible office closures in Dublin and Cape Town in order to reduce costs and overheads. The job cuts plan is likely to pour cold water on the Kenyan project, which has been hyped by Nairobi. Tullow has nearly halved its capital spending in Kenya to \$40.6m, down from the \$70m it spent in 2019.”

Full report in The East African Legalbrief Forensic 13 February 2020

Maflly B and Rodgers B “Lawmaker wants \$500K to sue Bay Area city to keep Utah coal flowing to Asia” [The Salt Lake Tribune](#) 14 February 2020

Boffey D “EU accused of climate crisis hypocrisy after backing 32 gas projects” [The Guardian](#) 12 February 2020

- **Water, waste, oceans and chemicals**

Amelang S “Rhine countries agree measures to make river more climate-resilient” [Clean Energy Wire](#) 14 February 2020

Davies A “Questions raised over decision to let cotton farms harvest first rainfall in years” [The Guardian](#) 16 February 2020

Helmore E “Deepwater Horizon disaster had much worse impact than believed, study finds” [The Guardian](#) 13 February 2020

“New Zealand threatens to sue Rio Tinto after floods threatened toxic waste” [The Guardian](#) 12 February 2020

Giuffrida A “Italy told to stop using Malaysia as plastics dumping ground” [The Guardian](#) 10 February 2020

Shukman D “Coastal floods warning in UK as sea levels rise” [BBC News](#) 14 February 2020

Rosato E “Plastic-free: Living with 'zero waste' for a week” [BBC News](#) 15 February 2020

- **Miscellaneous**

Fuller G “Pollutionwatch: where would we be without EU environmental laws?” [The Guardian](#) 30 January 2020

Phuyal S “Everest: Top Sherpas slam Nepal's plan to clean rubbish from mountain” [BBC News](#) 14 February 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

Head of Law School (Recruitment Agency)

More [information](#)

Pearson: Commerce Lecturer (part-time) (Bloemfontein)

More [information](#)

HSRC: Masters Research Intern (x10)

Closing date: 21 February 2020

More [information](#)

HSRC: Postdoctoral Research Fellow (x2)

Closing date: 21 February 2020

More [information](#)

HSRC: PhD Research Intern

Closing date: 21 February 2020

More [information](#)

International

New Zealand Development Scholarship and Commonwealth Scholarship

Diploma, Master's and PhD scholarships in New Zealand.

Sectors of study include Agriculture, Food Security, Climate Change and Resilience, Renewable Energy and Good Governance

Deadline for Development Scholarship application: 28 February 2020

Deadline for Commonwealth Scholarship application: 31 March 2020

[Read more](#)

French Embassy Scholarships 2020 Coming Soon

Master's and PhD scholarships in France

[Read more](#)

Mauritius-Africa Scholarship

Bachelor's, Masters and PhD Scholarship in Mauritius.

All fields of study available excluding Bachelor's degree in Medicine.

Deadline for scholarship application: 25 March 2020

[Read more](#)

Punjab College of Technical Education

Bachelor's and Master's scholarships in India.

Scholarship available in all fields of study.

Deadline for scholarship applications: 20 February 2020

[Read more](#)

Visiting Assistant Professor of Environmental Studies: Amherst College

The [Department of Environmental Studies at Amherst College](#) invites applications for a full-time, one-year position in environmental policy at the rank of visiting assistant professor, beginning July 1, 2020. We seek a colleague with broad intellectual interests and a strong background in environmental studies, who is committed to teaching and working at a liberal arts college.

[Amherst College](#) is one of the most diverse liberal arts colleges in the country. Within the last decade, the college has profoundly transformed its student body in terms of socioeconomic status, ethnicity, race, sexuality and gender identity, and nationality. Today, nearly one-quarter of Amherst's students are Pell grant recipients; 45 percent of our students identify as domestic students of color; and 10 percent of our students are international students. Our expectation is that the successful candidate for this position will excel at teaching and mentoring students who are broadly diverse with regard to race, ethnicity, socioeconomic status, gender, nationality, sexual orientation, and religion. Amherst College has an [Office of Environmental Sustainability](#) and is committed to a [Climate Action Plan](#) that will bring the college to carbon neutrality by 2030. Amherst also supports the onsite [Book and Plow Farm](#).

The successful candidate will be an outstanding teacher/scholar capable of teaching a core course in environmental policy and additional courses aligned with their expertise and the needs of the department (see course descriptions [here](#)). The teaching load is two courses per semester. A Ph.D. or equivalent is required.

Candidates are asked to submit [electronically](#) a cover letter, curriculum vitae, a statement of teaching interests at Amherst, a research statement, and to arrange for three confidential letters of recommendation. Teaching statements should highlight courses to be taught including those in our curriculum or new courses to extend offerings or provide increased depth in the department. Candidates are encouraged to submit course syllabi or evaluations from previous teaching experiences. Review of applications will begin on March 2, 2020, and applications received by this date will receive full consideration. The search will remain open until the position is filled.

For more information about this position, and about Amherst's Department of Environmental Studies, visit [here](#). For questions about the position or the application process, please contact [Diane Hutton](#), Academic Department Coordinator of Environmental Studies. Amherst College is an Equal Opportunity Employer and encourages women, persons of color, and persons with disabilities to apply. The college is committed to enriching the educational experience it offers through the diversity of its faculty, administration and staff.

Amherst College is a private undergraduate liberal arts college with 1,800 students and a teaching faculty of more than two hundred. Located in the Connecticut River Valley of western Massachusetts, Amherst participates with Hampshire, Mount Holyoke and Smith Colleges and the University of Massachusetts in the Five College Consortium.

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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21 February 2020

BILLS

Draft Division of Revenue Bill, 2020/2021 – Gen Notice 93 in GG 43025 of 17 February 2020 - intention to introduce and explanatory summary

Draft Public Procurement Bill, 2020 – Gen Notice 94 in GG 43030 of 19 February 2020 - explanatory summary

NOTICES

Plant Breeders' Rights Act 15 of 1976 - GN 182 in GG 43035 of 21 February 2020 - Regulations relating to plant breeders' rights amended with effect from 1 April 2020

Animal Diseases Act 35 of 1984 - GN 176 in GG 43027 of 18 February 2020 - Control measures relating to foot and mouth disease in certain areas published in GN 1565 in GG 42883 of 4 December 2019 repealed

Occupational Health and Safety Act 85 of 1993 - GN R180 in GG 43033 of 21 February 2020 - Draft Commercial Diving Regulations – for comment

Promotion of Access to Information Act 2 of 2000 – Gen Notice 98 in GG 43035 of 21 February 2020 - Description submitted in terms of s. 15 (1) by the Department of Human Settlements

Tourism Act 3 of 2014 – Gen Notice 102 in GG 43035 of 21 February 2020 - National Tourism Information and Monitoring System Regulations, 2019

PROVINCES

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 45 in PG 4384 of 17 February 2020 - Sarah Baartman District Municipality - Declaration of a Local State of Disaster in respect of drought and water shortages

Disaster Management Act 57 of 2002 - LAN 48 in PG 4384 of 17 February 2020 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions

KwaZulu Natal

Constitution of Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 25 in *PG* 2166 of 20 February 2020 - Zululand District Municipality - Municipal Health Services By-laws

North West

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 22 in *PG* 8100 of 18 February 2020 - Moses Kotane Local Municipality - 2010 Spatial Development Framework (SDF) – review and invitation to comment on the Spatial Development Framework Draft Report

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 24 in *PG* 8100 of 18 February 2020 - Tswaing Local Municipality - Draft Land Use Scheme, 2020 – for comment

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 17 in *PG* 8100 of 18 February 2020 - Ratlou 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 - LAN 18 in *PG* 8100 of 18 February 2020 - Tswaing 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 - LAN 20 in *PG* 8100 of 18 February 2020 - Moses Kotane Local Municipality - Draft Land Use Scheme – for comment

Western Cape

Department of Local Government - PN 13 in *PG* 8208 of 21 February 2020 - Consolidated Annual Municipal Performance Report 2017/18

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and City of Cape Town Informal Trading By-law - LAN 20083 in *PG* 8209 of 21 February 2020 - City of Cape Town (Northern District) - Revised informal trading plan for Ward 11, Kuilsriver

CASES

National

Philippi Horticultural Area Food & Farming Campaign and Another v MEC for Local Government, Environmental Affairs and Development Planning: Western Cape and Others (16779/17) [2020] [ZAWCHC](#) 8 (17 February 2020) [provided by P Kantor]

[1] The applicants seek to review and set aside a number of decisions made by the first, second and sixth respondents in the exercise of their public powers, as well as certain declaratory relief, related to the proposed development of 479 hectares of land owned by the eighth respondent, Oakland City Development Company (Pty) Ltd (“Oakland”) in Schaapkraal, Philippi, Cape Town. [case previously emailed in separate email]

Frannero Property Investments 202 v Selapa and Others (FBCIVAPP03/2019) [2020] [ZANWHC](#) 4 (14 February 2020)

Housing of mine workers on private property – eviction – PIE/ESTA – township establishment

Dinwa v Director of Public Prosecutions: Transkei and Another (3176/2018) [2020] [ZAECHC](#) 7 (13 February 2020)

Unconstitutionality of section 39 (2)(c) of the Environmental Conservation Decree No.9 of 1992 (the decree) – no reference to NEMICMA

“[30] I cannot conceive of any legitimate basis as to why pre-1994 legislation of a now non-existent “country” is still in existence and relied upon in 2020 more than a decade after the advent of democracy and the promulgation of legislation dealing with various aspects, including the environment. Be that as it may, it is also trite that regardless of its origin, all laws that were in force before the Constitution remained in force until amended or repealed, provided it passes constitutional muster. The applicant has failed to set out sufficient factors to have this Court make a ruling that this provision of the decree is unconstitutional on the grounds alleged.”

International

Benham v. Ozark Materials River Rock [No. 17-5069](#) (10th Cir. 2018)

This appeal arose out of a private enforcement action under Section 505 of the Clean Water Act (CWA).

Décision n° [2019-823](#) QPC du 31 janvier 2020

Union des industries de la protection des plantes [Interdiction de la production, du stockage et de la circulation de certains produits phytopharmaceutiques] – find an English explanation [here](#)

In Re Downstream Addicks and Barker (Texas) Flood-Control Reservoirs Case No: [17-9002](#) United States Court of Federal Claims Decided 18 February 2020

“This case is brought by residents of Harris County whose homes and properties were flooded by Hurricane Harvey in 2017. These individuals and families suffered both economic loss and the traumatic disruption of their lives, and they seek a remedy from the United States for an alleged

taking of their property without just compensation. The Court can only dispense compensation for legal cause when a plaintiff's fundamental property rights have been violated by the United States. In bringing their Fifth Amendment Takings claim, plaintiffs allege that the United States Army Corps of Engineers ("Corps" or "Agency") violated their fundamental property rights.

Two questions must be asked. First, what property did the government take? Second, how did the government take that property? The answers to these questions go to the heart of the Constitution's taking clause. The waters that actually caused the invasion came from the unprecedented floodwaters from Hurricane Harvey when it stalled over Houston for four days, dumping approximately thirty-five inches of water on Harris County."

PUBLICATIONS

International

Sharon Ori *et al* "Ecosystem services and judge-made law: A review of legal cases in common law countries" 2018 32A [Ecosystem Services](#) 9-21

2020 2(2) [Energy Review](#) now available

Leal-Arcas R "Towards Sustainability in Trade, Energy and Climate" 2020 6(1) [Modern Environmental Science and Engineering](#) 1-30

World Health Organization "Safer Water, Better Health" ([Report](#) 2019)

Raimi D "Comment on 'The intensification of the water footprint of hydraulic fracturing'" 2020 6(8) [Science Advances](#) DOI: 10.1126/sciadv.aav2110

IRENA "Renewable Energy Auctions: Status and Trends Beyond Price" ([Report](#) December 2019)

Hmiel B, Petrenko VV, Dyonisius MN *et al* "Preindustrial ¹⁴CH₄ indicates greater anthropogenic fossil CH₄ emissions" 2020 578 *Nature* 409–412 <https://doi.org/10.1038/s41586-020-1991-8>

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[BizCommunity](#): "SANEDI rolling out low-tech cooling solution in SA communities" 19 February 2020

- **Local government**

[BizCommunity](#): Peters S "New project launched to tackle urban challenges in Kenya, SA cities" 19 February 2020

- **Water, oceans, waste and chemicals**

[Mail & Guardian](#): Webster D "Seven lean years in the Northern Cape" 18 February 2020

- **Miscellaneous**

[The Conversation](#): Roux T “The politics behind South Africa’s property clause amendment” 17 February 2020

Africa

- **Biodiversity, protected areas, animal rights and culture**

[TimesLive](#): “Uganda army fights voracious desert locusts” 19 February 2020

[BizCommunity](#): Mollens J “Revolutionise food production system or face mass deforestation, scientists warn” 20 February 2020

- **Climate change and energy**

[Mail & Guardian](#): Haag S “Energy sector is the new colonial project” 21 February 2020

[BizCommunity](#): “SDG7 under the spotlight at Africa Energy Forum 2020” 18 February 2020

- **Mining**

[BizCommunity](#): Casey J “How to address security threats to the mining industry” 21 February 2020

- **Miscellaneous**

[IOL](#): Ebrahim S “While South Africa is navel-gazing, Zimbabwe is facing starvation” 23 February 2020

International

- **Biodiversity, national parks and culture**

[Science](#): Kornei K “Minke whales are struggling to communicate over the din of ocean noise” 18 February 2020

[Science](#): Frederick E “What we don’t know about wildfire smoke is likely hurting us” 14 February 2020

[The Guardian](#): Karp P “Australian power prices forecast to fall by 7% by 2022 as cost of renewables drops” 23 February 2020

- **Climate change and energy**

[Place](#): Bacchi U “How cat videos could cause a 'climate change nightmare'” 18 February 2020

[Science](#): Cornwall W “Humans are a bigger source of climate-altering methane, new studies suggest” 20 February 2020

[CarbonBrief](#): “The Carbon Brief Profile: Iran” 20 February 2020

[IISD](#) SDG Knowledge Hub: Leone F “Secretary-General Signals Priorities for Climate Action Ahead of COP 26” 20 February 2020

[The Independent](#): Beament E “Sale of coal and most polluting wood burned at home will be phased out to combat air pollution” 21 February 2020

[The Guardian](#): Funch P “Ghost glaciers: the transcendent Anthropocene – in pictures” 20 February 2020

[The Guardian](#): Morton A “Smoke screen: how Australia's biggest polluters have been free to increase emissions” 22 February 2020

- **Local government**

[Place](#): Chandran R “Analysis - Unequal cities bear the brunt of deadly disease outbreaks” 17 February 2020

[Place](#): Chandran R “Can ethical businesses bring a breath of fresh air to Asia's polluted cities?” 18 February 2020

[Place](#): Ukomadu A and Chile N “Burning tyres and sore feet: Lagos bristles under bike ban” 17 February 2020

[Place](#): Biron CL “Money trees: U.S. cities find new ways of valuing urban forests” 20 February 2020

[IISD](#) SDG Knowledge Hub: Wagner L “World Urban Forum Spotlights Cities' Role in Advancing 2030 Agenda” 20 February 2020

- **Water, oceans, waste and chemicals**

[IISD](#) ENB: 26th Annual Session of the International Seabed Authority 17-21 February 2020 | ISA Headquarters, Kingston, Jamaica

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Co-Facilitators Announce Themes for 2020 UN Ocean Conference” 20 February 2020

[The Guardian](#): “Inside Australia's climate emergency: the dead sea” 24 February 2020

- **Miscellaneous**

[Science](#): Scarfuto J “Do you trust science? These five factors play a big role” 16 February 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date!

Date: 3-5 September 2020

Place: Gauteng

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

NWU CEM Courses

- CEM-02.1.1 Environmental law
Dates: 23 - 27 March 2020

For more information contact Rosy Moloto (018) 299 2725 / Nonzuzu Seleka (018) 299 1470

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](#)

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Contact: Submissions via the landing page on the conference website.

Questions via the website or to [Tanya Stephens](#) or [Joanna Botha](#)

International Conference on Public Procurement Law, Africa

Place: Cape Town

Dates: 5-6 November 2020

More [information](#)

Call for papers: Decolonial Comparative Law Workshop

Date: 6 October 2020

Place: Johannesburg, South Africa

Abstract submission deadline: 6 February 2020

Draft paper submission deadline: 20 August 2020

The Max Planck Institute for Comparative Law (Hamburg) and the University of the Witwatersrand [School of Law](#) will host a one-day workshop on decolonial comparative law on 6 October 2020 at the University of Witwatersrand (Johannesburg). The workshop precedes the [International Academy of Comparative Law Thematic Congress](#) on “Diversity and Plurality in Law,” which takes places 7-9 October in Pretoria (South Africa). (Our workshop is not connected to the International Congress and participation in our workshop is not limited to or dependent on attendance of the International Congress.)

Theme: Although traditional comparative law methods have been criticized for several decades now, a clear alternative has not emerged. Debates between doctrinal, functionalist, and culturalist comparatists remain unresolved. One reason may be that despite such differences, a deeper, and problematic, agreement remains intact: agreement on certain ideas of law (as a matter of expertise) and of society (as either already or seeking to be liberal/democratic) that emerged within a European colonial context. Conventional comparative law—with all its valuable methodological and theoretical disagreements—remains mired within a Eurocentric paradigm encompassing the objects of

comparison (too often civil vs common law) and theoretical and methodological presuppositions (the concept of law, the role of the state and of community, the mode of thought, etc.). Because conventional comparative law is mired in colonial epistemologies, we seek to explore decolonial comparative law.

Decolonial theory is a school of critical theory developed by scholars (primarily in South America) engaging with the epistemological distinctiveness of coloniality in settler-colonies, as compared to colonies. (Decolonial theory is related to, but different from, decolonization, a historical process by which colonized states become formally independent. By way of example, whereas decolonization necessitates redistribution of property, decolonial theory necessitates a radical rethinking of property.) Decolonial scholars emphasize that modernity and coloniality are inseparable, such that the world today is dominated by the epistemic assumptions of modernity/coloniality. To overcome the hegemony of modernity, decolonial theorists call for pluriversality. Pluriversality rejects universality and emphasizes the simultaneous legitimacy of multiple traditions and social orderings from intellectual—not only geographic—borderlands. A basic presumption of decolonial theory is that the native/indigenous societies that were nearly eradicated by settler-colonialism are important sources of resistance to European epistemological hegemony.

Our project brings together the broad insights and challenging ideas of decolonial theory to the field of comparative law. We are interested in both identifying the colonial structures and presuppositions in conventional comparative law and examining what a decolonial comparative law could look like and what it could achieve. Such a program operates both on a theoretical and a practical level, bringing together concrete case studies and theoretical considerations. Most importantly, decolonial comparative law is a pluriversal project that includes multiple voices and perspectives, rather than reinforcing coloniality through a European-dominated effort of decolonization. To that end, our project emphasizes giving voice and authority to legal scholars in the global South. (We invite those interested to view and to suggest additions to our work-in-progress bibliographies of decolonial theory and decolonial legal studies: <http://www.mpipriv.de/decolonial>)

We invite papers that address any aspect of decolonial comparative law, including:

- How was the development of the modern discipline of comparative law in nineteenth-century Europe intertwined with European colonialism?
- How do legal transplants manifest coloniality?
- How do both functionalist and culturalist methods reflect particular colonial ideas of the relation between law and society?
- What were the premodern precursors to the modern discipline of comparative law?
- How is the bifurcation between secular law and religious law implicated in coloniality?
- How do neo-colonial relationships of power continue to shape conventional comparative law?
- How can indigenous and native legal traditions transform the conventional discipline of comparative law?
- How can a decolonial comparative law be theorized and practiced?

- What are the decolonial alternatives to the use of the modern nation-state as the key analytical category of comparison in conventional comparative law?

Attendance in the workshop is open. We ask those interested in attending to register as engaged listeners to [email](#) with “Decolonial comparative law, engaged listener registration” in the subject line. Please indicate your full name, your institutional affiliation (if any), and your preferred email address. (Engaged listeners are asked to attend the entire workshop and read all the papers in advance.)

Abstract Submission: Please [email](#) your title and abstract *in any language* of no more than 750 words (including a bibliography of up to five entries) to as an attachment by 6 February 2020. Authors of accepted papers will be asked to submit a draft paper by 20 August 2020. Please indicate if you will need funding in order to attend the workshop. (MPI will provide two-nights of accommodation for participants; some needs-based reimbursement for travel will also be available.)

Organizers: The Decolonial Comparative Law Workshop is co-organized by [Tshepo Madlingozi](#), [Ralf Michaels](#), [Lena Salaymeh](#), and [Emile Zitzke](#).

International

IUCN Academy of Environmental Law and Tilburg Sustainability Center Workshop: Enhancing Urban Climate Resilience: The Role of Law

Date: 10 September 2020

Place: Tilburg University, Netherlands

Abstract submission deadline: Monday 2 March 2020

Please submit abstracts of no more than 300 words to [Dr Angela van der Berg](#)

Registration deadline: Monday 3 August 2020 – registration is compulsory, please register [here](#)

For any inquiries, contact [Dr Angela van der Berg](#)

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

Abstracts: 1 March 2020

More [information](#)

ICLEI Daring Cities 2020 - The Bonn Forum for Urban Leaders taking on the Climate Emergency

Dates: 3-5 June 2020

Place: Bonn, Germany

More [information](#)

INECE 2020

Date: 3-5 March 2020

Programme [available](#) now

Webinar REN21 Renewables in Cities 2019 Global Status Report

Date: 27 February 2020

Time: 11:00 AM - 12:00 PM SAST

REN21 project manager Lea Ranalder will give an overview of the report with a special focus on solar PV and solar thermal. Municipal governments have shown leadership by installing rooftop solar PV systems on public buildings such as schools, administrative buildings, and community centers and in this way, they can be a great lead in achieving the renewable energy transformation.

Joining the webinar reporting from Sydney, Australia will be Rohan Rajput in order to illustrate Sydney's renewables and solar PV strategy as one of the cities covered in the report.

The webinar will last 1 hour and include a Q/A session for the audience in which we welcome you to send in your questions.

The recording of the webinar as well as the presentation given will be made available after the webinar - ISES members can access these resources long term via the ISES webinar archive.

Register for the webinar [here](#)

NEWS

National

- **Biodiversity, protected areas and culture**

Kretzmann S "Heritage Western Cape slams River Club development plan" [GroundUp](#) 19 February 2020

Jele N "Coronavirus affects West Coast rock lobster exports, season extended" [News24](#) 23 February 2020

- **Climate change and energy**

Yeld J "Wind farm says massive new rival could cost it "hundreds of millions" in lost energy" [GroundUp](#) 18 February 2020

Cele S "SA should prepare for two more years of load shedding – Mantashe" [City Press](#) 19 February 2020 [Legalbrief 20 February 2020]

Energy: Regulations must reflect on IPPs – Saippa

"The SA Independent Power Producers Association (Saippa) believes if President Cyril Ramaphosa is serious about procuring energy from independent sources, then this should be reflected in laws and regulations, says a Cape Argus report. The association's Dave Long said laws were restrictive on independent power producers (IPPs) and until changes have been made to them, it was just talk. The association, which has a membership of 45, said there had been an interest mainly in SA-based photovoltaic (PV) systems. PV devices generate electricity directly from sunlight using an electronic process which occurs naturally in semiconductors. African Quartz's Dr Dennis George said the focus on PV solar cells in SA was to provide a lower cost off-the-grid or grid-connected alternative energy supply to Eskom, households, businesses and other institutions such as municipalities intending to establish their own solar farms."

Full Cape Argus report (subscription needed) Legalbrief 20 February 2020

Halsey R “How mechanism to set the electricity price in SA rewards bad management” [BusinessLive](#) 23 February 2020

Squazzin A and Burkhardt P “Shortcomings of leadership behind Sasol’s fall from former glory - Cost overruns and problems at wax project have made investors wary of escalating costs at the Lake Charles plant in the US” [BusinessLive](#) 20 February 2020

- **Local government**

“Eskom gives Free State municipality seven days to settle R5m debt” [IOL](#) 19 February 2020 [Legalbrief 20 February 2020]

Rakabe E “The informal economy is necessary to deal with the unemployment crisis” [Mail & Guardian](#) 19 February 2020 [Legalbrief 20 February 2020]

Smit S “Tshwane water woes in court again” [Mail & Guardian](#) 21 February 2020

Saba A “Behind Jo’burg’s dirty tenders” [Mail & Guardian](#) 21 February 2020

Chirume J “Failing pump floods Addo street with sewage” [GroundUp](#) 20 February 2020

Broughton T “Judge slams City of Cape Town for not enforcing its own bylaws” [GroundUp](#) 18 February 2020

- **Mining**

Omarjee L “Mantashe says mining royalties could help to start up sovereign wealth fund” [fin24](#) 19 February 2020 [Legalbrief 20 February 2020]

Cronje J “Court declares major Gupta-era coal contract with Eskom invalid” [News24](#) 21 February 2020

Steyn L “Court opens way for action against Tegeta over unlawful coal deal” [BusinessLive](#) 23 February 2020

Secombe A “AngloGold pumps cash as it sells last SA mines” [BusinessLive](#) 21 February 2020

“Mining industry opposes Eskom’s cash hunt” [TimesLive](#) 21 February 2020

- **Water, oceans, waste and chemicals**

Environmental: More time for input on waste management strategy

“Stakeholders now have until 28 February to comment on a draft revised national waste management strategy aimed at addressing the ‘widespread impact’ of single-use plastic packaging and convenience items on SA’s coastline, rivers and wetlands. It is underpinned by ‘the concept of the circular economy’ – described in the foreword as using the by-products from one manufacturing process as raw materials for another.”

Read full report Legalbrief Environmental 18 February 2020

Mvumvu Z “Millions ‘channelled to Zuma’s foundation, cash hidden in Dudu Myeni’s home office” [TimesLive](#) 18 February 2020 [Legalbrief Forensic 20 February 2020]

Kretzmann S “Province raps City’s knuckles over state of rivers” [GroundUp](#) 20 February 2020

Wicomb W “Court blocks development on Cape Flats Aquifer” [GroundUp](#) 19 February 2020

- **Miscellaneous**

Economy: Infrastructure development policy statement expected soon

“An ‘infrastructure investment policy statement’ to be issued soon is expected to outline an ‘eco-system’ for undertaking ‘good infrastructure investments’ that will include public-private partnerships. Announcing this yesterday during a meeting with development finance institution leaders, President Cyril Ramaphosa said the statement will also address issues ranging from a suitable ‘oversight mechanism’ to ‘guidance on how to mainstream fiscal commitment and contingent liability analysis’. Apparently, the infrastructure development fund promised by the President in his September 2018 economic stimulus and recovery package has still not been established. Neither has work begun on the necessary infrastructure investment plan. While the President chose not to explain why – at least, in the official version of his speech – he blamed ‘the bleak state of public infrastructure’ on the ongoing ‘haemorrhaging’ of technical, engineering and financial skills, conceding that this has ‘undermined planning, prudent asset management, and the production of a credible and transparent project pipeline’. Against that backdrop, Ramaphosa alluded to the introduction of ‘a legally permissible transitional dispensation’ – ‘premised on private sector collaboration’ – along with ‘policy and regulatory reforms’ to rectify what he described as an environment ‘among ... the most elaborate and prohibitive in the world’.”

Read full report in Legalbrief Policy Watch 19 February 2020

Karrim A “Govt releases hundreds of parcels of land for human settlement development” [News24](#) 23 February 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“German court orders Tesla to stop felling trees for Gigafactory” [The Guardian](#) 16 February 2020

“Tesla gets court approval to clear forest for German Gigafactory” [Reuters](#) 20 February 2020

Cockburn H “‘Thrilling’: Unprecedented number of critically endangered blue whales recorded off Antarctic island” [The Independent](#) 20 February 2020

Wood V “New species of life to be wiped out before they have even been discovered, scientists say” [The Independent](#) 19 February 2020

Marshall M “Why the lights are going out for fireflies” [The Guardian](#) 22 February 2020

- **Climate change and energy**

“Nearly half of global GDP could soon be subject to net zero emission targets – report” [Carbon Pulse](#) 18 February 2020

Varadhan S “India's annual coal power output falls for first time in a decade” [Reuters](#) 17 February 2020

“US agriculture secretary backs carbon trading, as Trump administration makes rare climate pledge” [Carbon Pulse](#) 20 February 2020

Kaufman AC “Bloomberg, Apparent Climate Champion, Defends Fossil Fuel In His First Debate” [Huff Post](#) 20 February 2020

“Coronavirus shaves 100 MtCO₂ off China emissions –analyst” [Carbon Pulse](#) 19 February 2020

“China's Hebei province sets up \$7 bln financing vehicle to shore up economy” [Reuters](#) 20 February 2020

“Virus dims prospects for tougher China climate action” [Carbon Pulse](#) 17 February 2020

Murphy K “Labor to announce net zero emissions target by 2050 and will oppose taxpayer funding of new coal power” [Australia] [The Guardian](#) 20 February 2020

Morehouse C “Largest New England coal plant clears ISO-NE capacity auction, will stay online until 2024” [Utility Dive](#) 20 February 2020

“Will green technology kill Chile's deserts?” [News24](#) 20 February 2020

Cockburn H “Climate crisis: Fossil fuels’ impact on planet ‘vastly underestimated”” [The Independent](#) 21 February 2020

“France to shut down oldest nuclear power plant by summer” [The Independent](#) 18 February 2020

Halliday J and Barratt L “More than 11,000 homes in England to be built on land at high risk of flooding” [The Guardian](#) 23 February 2020

McKie R “UK flood defence plans are inadequate, warn scientists” [The Guardian](#) 23 February 2020

“Oil major BP deepens long-term climate targets, leaves details for later” [Carbon Pulse](#) 12 February 2020

- **Local government**

“Extreme weather will overload power grids globally as people flock to cities” [TimesLive](#) 23 February 2020

- **Water, waste, oceans and chemicals**

Saul J “Shipping industry faces \$370 million hit from new Panama Canal charge” [Reuters](#) 20 February 2020

- **Miscellaneous**

Eilperin J and Dennis B “The EPA is about to change a rule cutting mercury pollution. The industry doesn’t want it” [The Washington Post](#) 17 February 2020

Sickinger T “[Oregon](#) denies key permit for Jordan Cove LNG project on eve of federal decision” [The Oregonian](#) 19 February 2020

Cockburn H “Every country on Earth failing to provide world fit for children, landmark report warns” [The Independent](#) 18 February 2020

Greenfield P “World leaders urged to 'step back from precipice' of ecological ruin” [The Guardian](#) 18 February 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

International

[Predocctoral Researcher in Law](#)

Ghent University Department of European, Public and International Law

[Assistant Professor of Law](#)

Wageningen University Netherlands

[Lectureship in Law](#)

University College Cork Ireland

[Lecturer in Law](#)

University of California Berkeley School of Law United States

[Research Associate in Law](#)

University of York York Law School United Kingdom

[Assistant / Associate Professor of Sustainability Science](#)

University of Helsinki Finland

[Assistant / Associate / Full Professor of Socio-Legal Studies](#)

York University Department of Social Science Canada

[Lecturer in Law](#)

University of York, York Law School United Kingdom

[Postdoctoral Researcher in Embedding Environmental Sustainability Norms in Society in Sustainability Science](#)

University of Helsinki Finland

[Assistant / Associate / Full Professor of Canadian Public Law and Governance](#)

York University

[Assistant / Associate / Full Professor of Socio-Legal Studies](#)

York University Department of Social Science

[Assistant / Associate / Full Professor of Private Law](#)

University of Helsinki

[Assistant / Associate Professor of Sustainability Science](#)

University of Helsinki

[Postdoctoral Researcher in Embedding Environmental Sustainability Norms in Society in Sustainability Science](#)

University of Helsinki

[Doctoral Researcher Positions](#)

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University College Cork

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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

28 February 2020

POLICIES

Draft National Youth Policy 2020-2030 – for [comment](#) by 16 March 2020

BILLS

Department of Agriculture, Land Reform and Rural Development - Draft Upgrading of Land Tenure Amendment Bill, 2020 – Gen Not 116 in GG 43045 of 25 February 2020 – for comment

NOTICES

National Water Act 36 of 1998 – GN 218 in GG 43050 of 28 February 2020 - Determination of water resource classes and resource quality objectives for Mzimvubu catchment - Correction of GN 165 in GG 43015 of 14 February 2020 (English / isiXhosa)

National Environmental Management Act 107 of 1998 – GN 199 in GG 43046 of 25 February 2020 – : Procedures to be followed for assessment and minimum criteria for reporting of identified environmental themes when applying for Environmental Authorisation - Extension of deadline for comments [also provided in separate email]

Standards Act 8 of 2008 – Gen Notice 125 in GG 43050 of 28 February 2020

- Draft Standards for comment:
 - SANS 14067 Ed 1 Greenhouse gases - Carbon footprint of products - Requirements and guidelines for quantification. This document specifies principles, requirements and guidelines for the quantification and reporting of the carbon footprint of a product (CFP), in a manner consistent with international standards on life cycle assessment (LCA) (ISO 14040 and ISO 14044)
 - SANS 22301 Ed 2 Societal security - Business continuity management systems – Requirements. Specifies requirements to plan, establish, implement, operate, monitor, review, maintain and continually improve a documented management system to protect against, reduce the likelihood of occurrence, prepare for, respond to, and recover from disruptive incidents when they arise

- SANS 7404-4 Ed 1 Methods for the petrographic analysis of coals -- Part 4: Method of determining microlithotype, carbominerite and minerite composition. Specifies a method, using a graticule with 20 crossline intersections, for determining the proportions of microlithotypes, carbominerite and minerite in coals
- SANS 987 Ed 1 Adiabatic determination of spontaneous combustion. Describes the method for determining the propensity of coals for spontaneous combustion using the adiabatic principle.
- SANS 7404-4 Ed 1 Methods for the petrographic analysis of coals -- Part 4: Method of determining microlithotype, carbominerite and minerite composition. Specifies a method, using a graticule with 20 crossline intersections, for determining the proportions of microlithotypes, carbominerite and minerite in coals.
- SANS 1634 Ed 1 Barrier protection systems for treated wooden poles. Covers the requirements for barrier protection systems used to augment treated wooden poles, posts and piling intended for ground contact service conditions by encapsulating their butts
- Amendment of standards:
 - SANS 941 Ed 1.2 Energy efficiency of electrical and electronic apparatus. Amend introduction, to modify requirements, and to make reference to the latest department of energy latest guide
- New standards:
 - SANS 50021:2020 Ed 1 Energy management and energy savings - General guidelines for selecting energy savings evaluators. Gives guidelines for selecting energy savings evaluators to determine ex-post (realized) energy savings for projects, organizations and regions.
 - SANS 56002:2020 Ed 1 Innovation Management - Innovation management system – Guidance. Provides guidance for the establishment, implementation, maintenance, and continual improvement of an innovation management system for use in all established organizations.
 - SANS 10330:2020 Ed 3 Requirements for a Hazard Analysis and Critical Control Point (HACCP) system. Specifies the requirements for the development, establishment, implementation, maintenance and continual improvement of Hazard Analysis Critical Control Point (HACCP) as a preventative means to enhance the safety of food in all food handling organizations, directly or indirectly involved in the food chain.
 - SANS 23210:2020 Ed 1 Stationary source emissions -- Determination of PM10/PM2,5 mass concentration in flue gas -- Measurement at low concentrations by use of impactors. Specifies a standard reference method for the determination of PM10 and PM2,5 mass concentrations at stationary emission sources by use of two-stage impactors
 - SANS 10400-T:2020 Ed 4 The application of the National Building Regulations Part T: Fire protection. Provides deemed-to-satisfy requirements for compliance with part T (Fire Protection) of the National Building Regulations.

PROVINCES

Eastern Cape

Eastern Cape Money Bills Amendment Procedure and Related Matters Bill (EC)
– ON 1 in PG 4389 of 24 February 2020 – for comment

Western Cape

Draft Western Cape Museums Ordinance Amendment Bill, 2020 – PN 16 in PG 8212 of 28 February 2020 – for comment

CASES

National

Jacobs NO and Others v Hylton Grange (Pty) Ltd and Others (A139/2019) [2020] ZAWCHC 14 (27 February 2020)

Nuisance – offensive odours

“[1] This case is about an alleged unlawful nuisance in the form of offensive odours. The appellants and respondents in the appeal, which is with the leave of the court *a quo*, were respectively the respondents and applicants in the proceedings under appeal.”

“[86] Section 24(a) of the Constitution gives everyone the right ‘to an environment that is not harmful to their health or well-being’. An environment will, in my view, be ‘harmful’ to a person’s ‘well-being’ if it is repulsive to the senses of an ordinary person.”

Wakkerstroom Natural Heritage Association v Dr Pixley ka Isaka Local Municipality (1765/19) [2019] [ZAMPMHC](#) 20 (29 October 2019)

“[1] At the heart of this matter lies the duties of the first respondent (“the municipality”) arising out of both environmental legislation and the principle of legality. The Wakkerstroom/Volksrust bulk water pipeline project (“The project”) which formed part of the municipalities’ Integrated Development Plan, 2018, (“The IDP”) is in dispute. The applicant applies for an interdict preventing the municipality to proceed with the construction of the project. Applicant maintains that the municipality is not entitled to proceed with the construction of the project until an additional water use licence in terms of the National Water Act 36 of 1998 (“the Water Act”) is granted, and an Environmental Authorisation (“EA”) is issued in terms of the National Environmental Management Act 108 of 1998 (NEMA).

[2] It further seeks an order reviewing and setting aside the decision of the first respondent to construct the project.

[3] The municipality, amongst other defences, states that there was an unreasonable delay by applicant in launching the review application, and that because of this unreasonable delay, the applicant is barred from applying for the review of the decision to construct his project.”

International

Esau v Director-General, Anti-Corruption Commission (HC-MD-CIV-MOT-GEN-2020/00004) [2020] [NAHCMD](#) 59 (20 February 2020)

Fishing rights

“Flynote: Applications – Urgency – Rule 73 (4) (a) and (b) – Requisites to be met - where a fundamental right alleged to be infringed, matter to be dealt with and heard with the utmost degree of urgency – The court should proceed from the premise that the factual allegations made on oath by the applicant in support of the application, are assumed to be correct – Non-Joinder – Judicial Officers not to file affidavits in order to maintain their impartiality and independence – Review – Rule 65 or 76 – Consequence of proceeding in terms of rule 65 – *Functus Officio* – Duty of Non-disclosure – Breach of Privilege – Discretion to determine what documents are privileged lies in the courts – Authorised Officer in terms of the ACC Act – s 6 of the Interpretation of Law Proclamation 37 of 1920 applicable – Search and Seizure Warrants – Courts to interpret them very restrictively and where possible, in favour of the subject – Same must follow the statutory prescripts.”

Republique Francaise Au Nom Du Peuple Francais N 421004 ECLI:FR:XX:2019:421004.20191218 [Conseil d'État](#)

“On December 18, 2019, the French Administrative Supreme Court ("Conseil d'Etat") ruled in favor of limiting a hydrocarbon mining permit for climate change reasons.” Read English summary [here](#)

PUBLICATIONS

National

Jutastat Evolve – more information [here](#)

Ruppel OC and Varekamp B “International and African Legal Protection Mechanisms against Illegal Wildlife Trade” in: Kameri-Mbote, P *et al* (eds) *Liber amicorum Charles Okidi* (University of Nairobi Press Nairobi 2019)

Kameri-Mbote P, Paterson A, Ruppel OC, Orubebe BB and Kam Yogo ED (eds) *Law | Environment | Africa. Law and Constitution in Africa* Vol. 38, (Nomos Baden-Baden 2019) Freely [available](#)

Ruppel OC and Kam Yogo ED (eds) “Environmental law and policy in Cameroon - Towards making Africa the tree of life” 2018 *Recht und Verfassung in Afrika – Law and Constitution in Africa* Freely [available](#)

Kinhoun, E and Ruppel, OC (eds) *La question de la responsabilité sociale et environnementale de l'entreprise - perspective africaine, cas du Cameroun* (UCAC Presses Yaoundé 2018)

Addaney Michael and Moyo Chantelle Gloria “Women’s Rights, Gender and Climate Change Law in Africa: Advancing an Equity Agenda” 2018 [Journal of Law, Society and Development](#) 5(1) (published February 2020)

Field Tracy-Lynn *State Governance of Mining, Development and Sustainability* ([Edward Elgar](#) 2019)

Ashukem J-C A rights based approach to foreign agro-investment in Cameroon: Enhancing the protection of local communities' rights 2019 *Journal of African Law* 163-191

Kotze LJ "Reflections on the Rule of Law in a time of socio-ecological crisis" 2019 *Journal of Environmental Law* 367-382

Kotze LJ "Earth system law for the Anthropocene" 2019 *Sustainability* 1-13

Lefenya KO "Revisiting the effectiveness of the Auditor-General under the auspices of the Public Audit Amendment Act 5 of 2018: A quest for public financial accountability" 2019 *Journal of Public Administration*

Villavicencio Calzadilla PM "Climate change litigation: A powerful strategy for enhancing climate change communication" in Filho W, Lackner B and McGhie H (eds) *Addressing the challenges in communicating climate change across various audiences* (Switzerland Springer 2019) 231-246

Ashukem J-C Public participation in decision-making in Cameroon – myth or reality" in Kamer-Mbote P et al (eds) *Law /Environment / Africa* (Baden-Baden Nomos 2019) 357-373

Kotze LJ and Du Plessis AA "The African Charter on Human and People's Rights and Environmental Rights Standards" in Turner S et al (eds) *Environmental Rights* (Cambridge 2019) 93-115

International

Allen J et al "The State of Global Environmental Governance 2019" (IISD [Report](#) February 2020)

Jadranka Petrovic and Xuan Yu Meng Alleviating Greenhouse Gas Emissions Caused by an International Commercial Air Transport Undertaking 2020 1 *Journal of Business Law* 59

Gaul Mirco et al "2013-2019 Impact Monitoring of the Investments in Rural Electrification in West Nile Sub-Region, Uganda" (Energypedia [Report](#) 2019)

Krakoff SA "Not Yet America's Best Idea: Law, Inequality, and Grand Canyon National Park" 2020 91 [U. of Colorado L. Rev.](#) 559

ICLEI "Promoting Safe and Sustainable Cities with Public Transport" ([Report](#) February 2020)

Sumaila UR et al "Illicit trade in marine fish catch and its effects on ecosystems and people worldwide" 2020 6(9) [Science Advances](#) DOI: 10.1126/sciadv.aaz3801

Kornfeld I *Mega-Dams and Indigenous Human Rights* ([Edward Elgar](#) 2020)

Journal of Human Rights and the Environment (JHRE) Call for Papers

The *Journal of Human Rights and the Environment (JHRE)* warmly welcomes submissions for the upcoming issues in Volumes 12 and beyond.

The relationship between human rights and the environment is fascinating, uneasy and increasingly urgent. This international journal provides a strategic academic forum for an extended interdisciplinary and multi-layered conversation that explores emergent possibilities, existing tensions, and multiple implications of entanglements between human and non-human forms of liveliness.

We invite critical engagements on these themes, especially as refracted through human rights and environmental law, politics, policy-making and community level activism.

All submissions will be double-blind peer reviewed, and should be no more than 10,000 words inclusive of references and prepared in accordance with the journal's house style guidelines. Authors of articles accepted for publication will be asked to sign the journal's standard Contributor Agreement.

Submissions should be made through the online [portal](#)

JHRE invites contributions along the following themes:

Special Issue: From Student Strikes to the Extinction Rebellion: New Protest Movements Shaping Our Future (guest edited by Benjamin J. Richardson).
(*Submission for this issue should be sent by 31 March 2020*)

Vol 12.1: Critical Approaches to Sustainable Development (*Submission for this issue should be sent by 1 June 2020*)

Vol 12.2: New Materialism (*Submissions for this issue should be sent 1 September 2020*)

Vol 13.1: States, Corporations and Commons: Dissonance and Disaccord
(*Submission for this issue should be sent by 1 March 2021*)

Vol 13.2: The concept of equity in environmental law (*Submissions for this issue should be sent by 1 September 2021*)

Information for authors can be found [here](#), and submission should be made via the [website](#)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, national parks, animal rights and culture**

[The Conversation](#): Johnson JL and Rawson JL "How South Africa's mangrove forests store carbon and why it matters" 25 February 2020

- **Climate change and energy**

[Webber Wentzel](#): Niven Gillian & Novotny Paula-Ann "Carbon tax rate increase" 28 February 2020

[BusinessLive](#): Klier J "Encouraging green finance investments a solution to solving climate change" 27 February 2020

- **Local government**

[Travel24](#): Zietsman G “Eco-Travel Itinerary: What to see and do in the world's greenest city” 28 February 2020

[Mail & Guardian](#): Shoba S “Our Oasis: Living on the edge of urban encroachment” 28 February 2020

[BusinessLive](#): Du Toit A “Informal workers are sometimes tantamount to bonded labour” 29 February 2020

- **Mining**

[fin24](#): Omarjee L and Khumalo S “Coronavirus will likely knock SA mining, tourism and telecoms – report” 29 February 2020

- **Miscellaneous**

[BusinessLive](#): Vorster P and Konstatinopoulos N “Ethical failures are to blame for the poor state of our SOEs” 29 February 2020

[The Conversation](#): Abia ALK ‘Plans to fight coronavirus must pay attention to the environment’ 28 February 2020

Africa

- **Biodiversity, protected areas, animal rights and culture**

[BBC](#): “Kenya bans commercial slaughter of donkeys” 25 February 2020 [Legalbrief 27 February 2020]

[City Press](#): Cadman M “There are less harmful ways of ensuring people and elephants can live together” 28 February 2020

[BBC](#): “Appeal for more funds to control locusts” 26 February 2020

[The Guardian](#): Hayden S “Uganda's 'locust commander' leads the battle against a new enemy” 26 February 2020

[The Conversation](#): Obura D “We’re coming up with a new set of targets to protect the natural world. Here’s how” 26 February 2020

- **Climate change and energy**

[BBC](#): Govender S “Africa grapples with clean energy conundrum” 25 February 2020

- **Local government**

[The Conversation](#): Thomas E, De Dieu Ngirabega J and Clasen T “Lessons from Rwanda on tackling unsafe drinking water and household air pollution” 24 February 2020

- **Miscellaneous**

[AllAfrica](#): Samuels C “Ethiopia to Introduce Green Court” 15 February 2020 [Legalbrief 24 February 2020]

[IISD](#) ENB: 6th session of the Africa Regional Forum on Sustainable Development (ARFSD 2020): 2020-2030: A Decade to Deliver a Transformed and Prosperous Africa Through the 2030 Agenda and Agenda 2063 - 24-27 February 2020 | Victoria Falls, Zimbabwe

[Natural Justice](#): “Nairobi Expressway ESIA Report for Public Comment” 27 February 2020

[News24](#): “Vulnerable continent: Africa and the coronavirus” 28 February 2020

[BBC](#): “Saving the banana” 29 February 2020

[The Conversation](#): Mkandawire E and Hendricks SL “We found a way to reduce gender bias in Malawi’s nutrition policy” 24 February 2020

International

- **Biodiversity, national parks and culture**

[Natural Justice](#): “Human Rights and Biodiversity are not mutually exclusive: They depend on each other” 24 February 2020

[Natural Justice](#): “Protect Human Rights to Protect the Planet” 25 February 2020

[IISD](#) SDG Knowledge Hub: Wagner L “CMS COP Expands Migratory Species Protections, Calls for Ecological Connectivity” 27 February 2020

[IISD](#) SDG Knowledge Hub: Anderson L “IPBES [Authors](#) Present Drivers, Solutions to Land Degradation” 27 February 2020

[IISD](#) ENB: 2nd Meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework - 24-29 February 2020 | Headquarters of the Food and Agriculture Organization of the UN (FAO), Rome, Italy

[Grand Canyon Trust](#): “The Voices of Grand Canyon” February 2020

[IISD](#) SDG Knowledge Hub: Anderson L “WWF Warns of Global and Country Specific Losses from Ecosystem Service Declines” 25 February 2020

[The Independent](#): Whang O “The plight of Delhi’s black kites, wounded by the pastime that shares their name” 27 February 2020

[The Guardian](#): Carreon B “Palau’s marine sanctuary backfires, leading to increased consumption of reef fish” 26 February 2020

[Science](#): Pennisi E “Canada’s ‘dynamic’ plan to protect endangered right whales rests on robots” 28 February 2020

- **Climate change and energy**

Net Zero [podcast](#): Chris Peeters on what the digitalisation of the energy system really means and discusses the key challenges and consequences for different market players.

[Development Asia](#): How to Light Up Remote Areas with Clean Hydrogen Energy

Center for Progressive Reform Webinar "Climate Justice: How Enforcement Can Help Communities at Risk – recordings available

- Link to a [recording of the webinar](#), a copy of the [slide deck](#) with links to relevant resources, and shareable posts on CPR's [Facebook](#) and [Twitter](#) feeds.
- Also be sure to check out CPR Board member Joel Mintz's recent piece in *The Revelator*, "[EPA Enforcement in Distress -- and More Trouble is Brewing.](#)"

[IISD](#) ENB: 52nd Session of the Intergovernmental Panel on Climate Change (IPCC-52) - 24-28 February 2020 | Headquarters of the UN Educational, Scientific and Cultural Organization (UNESCO), Paris, France

[The Independent](#): Rentoul J "After Heathrow, what other projects could be cancelled over the climate crisis?" 29 February 2020

[The Independent](#): Duncan C "Antarctica snow turns 'blood red'" 27 February 2020

[The Guardian](#): "Inside Australia's climate emergency: the killer heat" 27 February 2020

[The Guardian](#): Harvey F "Finance holds climate key but poor countries fear missing out" 27 February 2020

[BusinessLive](#): Petri J "Solar is starting to scale worldwide (except in the US)" 28 February 2020

- **Local government**

[ICLEI](#) Ecomobility: "Achieving road safety through Vision Zero" 25 February 2020

[ICLEI](#) Ecomobility: "Moving in the right direction: How the Korean "Bike to Work Challenge" is leveraging technology to tackle climate change" 26 February 2020

[ICLEI](#) Ecomobility: "Looking to the UN Sustainable Development Goals to guide good urban growth" 20 February 2020

[ICLEI](#) Ecomobility Video: "Ian Wainwright on the importance of EcoLogistic and urban freight" 26 February 2020

[CitiesWithNature](#): "Brazilian cities and states make their voices heard for nature" February 2020

- **Mining**

[IISD](#) SDG Knowledge Hub: Fishman A "IRP [Report](#) Proposes Governance Framework for Extractives" 27 February 2020

[The Independent](#): Dlouhy JA "Oil industry's polar bear-spotting technology used to avoid crushing animals misses them half the time" 28 February 2020

- **Water, oceans, waste and chemicals**

[Earth Island Journal](#): “Earth Island Sues 10 Companies, Including Coke, Pepsi, and Nestle, Over Plastic Use” 26 February 2020 – find the text of the complaint [here](#)

[The Independent](#): Beamont E “Flood defences cannot protect every home, warns Environment Agency chief” 26 February 2020

- **Miscellaneous**

[The Revelator](#): Mintz JA “EPA Enforcement in Distress — and More Trouble Is Brewing” 24 February 2020

[IISD](#) SDG Knowledge Hub: Leone F “Playground Equipment Contains Dangerous Levels of Lead: IPEN Studies” 27 February 2020

[IISD](#) SDG Knowledge Hub: Leone F “2030 Agenda Testing Multilateralism: States Discuss UN75 Declaration” 27 February 2020

[IISD](#) SDG Knowledge Hub: Wagner L “CSO Coalition Finds Greater Focus on “Leaving No One Behind” in National SDG Planning” 27 February 2020

[IISD](#) SDG Knowledge Hub: Chasek P and Allan J “Can Environmental Negotiations Regain Momentum in 2020?” 25 February 2020

[IISD](#) SDG Knowledge Hub: Riley R “Public Sector Spending Could Make or Break Progress on the SDGs: Here’s How” 25 February 2020

[The Jurist](#): Rizvi A “UN report finds killings of women rights activists in Colombia increased by 50%” 28 February 2020

[Science](#): Doyle M “Interior Department moves to impose new rules on use of science in decision-making” 27 February 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date!

Date: 3-5 September 2020

Place: Gauteng

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

NWU CEM Courses

- CEM-02.1.1 Environmental law

Dates: 23 - 27 March 2020

For more information contact Rosy Moloto (018) 299 2725 / Nonzuzu Seleka (018) 299 1470

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](#)

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Contact: Submissions via the landing page on the conference website.

Questions via the website or to [Tanya Stephens](#) or [Joanna Botha](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Save the Date

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

Exploring urban justice in contemporary African Cities - Call for abstracts

The papers will form part of a panel(s) at the Southern Africa City Studies Conference (SACSC)

Place: Johannesburg at Wits University

Date: 30 August - 2 September 2020

Questions of injustice, and lack of equity have dominated much of the thinking and scholarly imaginary in Urban Studies, with researchers and academics finding many empirical cases to demonstrate moments of injustice and unfairness in different ways, from procedural issues to challenges of distribution and allocation. However, questions of what constitutes urban justice and how it is made manifest in contemporary African cities has received less attention. This panel is looking for papers that are concerned with empirical cases of urban justice, that trace projects, programmes, or plans from the moment of inception through to delivery and implementation. It is hoped that these papers would grapple with theoretical questions such as what perspective informs the notion of urban or spatial justice in a particular empirical study, what is driving, motivating or mobilizing such practices and how this can be explained; whether there some form of urban imaginary informing actions; what is contested and at stake, and perhaps most fundamentally, how we might understand the concept of urban justice and equity within contemporary urbanism in the Global South.

Abstracts should be 250 words and include 5 key words. The deadline for abstracts is Friday 20 March 2020. Please send abstracts to [Margot Rubin](#) or [Sarah Charlton](#).

HSRC Seminar series: Roundtable Discussion with the UN Special Rapporteur on the Right to Privacy on the State of Privacy in South Africa

Date: 11 March 2020

Time: 14h30 - 16h00

Venues in Pretoria, Durban and Cape Town (Videoconferencing facilities: see below)

With the onset of advantaged digital and surveillance technologies, the right to privacy has become one of the most asseverated human rights in recent years. Globally, new laws have been promulgated to protect individuals from undue violations to their right to privacy, in the form of data protection laws such as the European Union's General Data Protection Regulation (2018). But these global trends are experienced differently in local contexts. In South Africa, ideas around privacy are inherently linked to the history of the country and, too, to the enjoyment of other human rights. Privacy is experienced unequally, dependent on a composite of other socio-economic factors, including race, gender, age, and health status. With the advance of artificial intelligence, which relies on the availability of massive amounts of (often personal) data, and the so-called Fourth Industrial Revolution, our society is facing new concerns around the enjoyment of the right to privacy that are critically linked its history here in South Africa. This roundtable brings together local and global experts and voices to take stock of the state of the right to privacy in South Africa and to consider ways in which the country can promote the equal enjoyment of this right and all other interrelated human rights.

This seminar is funded by the Department of Science and Innovation (DSI). The views and opinions expressed therein as well as findings and statements of the seminar series do not necessarily represent the views of the DSI. Please also note that this seminar is being recorded with the aim of publishing on the HSRC podcast channel.

Kindly note that seminars can now be accessed via the Vidyo [link](#): Please advise the administrator below if you are intending to link via Vidyo

Kindly RSVP by 10 March 2020

Pretoria: HSRC Video Conference, 1st floor HSRC Library Human Sciences Research Council, 134 Pretorius Street, Pretoria. [Arlene Grossberg](#), Tel: (012) 302 2811, [e-mail](#)

Cape Town: HSRC, Merchant House 116-118 Buitengracht Street Cape Town, Cape Town. Contact: Shouneez Khan, Tel (021) 4667948, or [Shouneez Khan](#)

Durban: The Atrium, 5th Floor, 430 Peter Mokaba Ridge, Berea, 4001 , Contact [Ridhwaan Khan](#), Tel (031) 242 5400, cell: 083 788 2786 or, or Wiseman Mbambo [e-mail](#)

2020 IACL Thematic Congress on Diversity and Plurality in Law, Pretoria, South Africa // Congrès thématique de l'AIDC en 2020 sur la diversité et la pluralité en droit, Pretoria, Afrique du Sud

Date: 7-9 October 2020

More [information](#)

International

IUCN Academy of Environmental Law and Tilburg Sustainability Center Workshop: Enhancing Urban Climate Resilience: The Role of Law

Date: 10 September 2020

Place: Tilburg University, Netherlands

Abstract submission deadline: Monday 2 March 2020

Please submit abstracts of no more than 300 words to [Dr Angela van der Berg](#)

Registration deadline: Monday 3 August 2020 – registration is compulsory, please register [here](#)

For any inquiries, contact [Dr Angela van der Berg](#)

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

Abstracts: **1 March 2020**

More [information](#)

Webinar: Zero Carbon Emissions in Digitalization

Date: 3 March 2020

Time: 15 pm CET

More [information](#)

Climate law conference and WECLN gathering

Dates: 8-9 October 2020

Place: Melbourne Law School

The first day will feature a workshop on different dimensions of Paris implementation (business, human rights, adaptation, litigation). The second day we are planning a WECLN meeting around the theme of Partnerships and Cooperation in Climate, Energy and Environmental Law.

More information will follow.

7th Annual Future Environmental Law Professors Workshop

Date: Friday, September 18, 2020

Place: Elisabeth Haub School of Law at Pace University!

You can view past keynote addresses [here](#)

3rd Copernicus Climate Change Service (C3S) Symposium for the Energy Sector

Date: 19 May 2020

Place: Paris

[Registration](#)

For more information on the C3S Energy Operational Service please visit [here](#)

Vermont Law School: 2020 Summer Session course catalog

Learn more about the 24 environmental law courses we'll be offering this summer, taught by internationally recognized scholars and leaders: from Environmental Crimes to Advanced Communications for Environmental Advocates. Students may contact Environmental Law Center Associate Director Anne [Linehan](#) at. See the [catalog](#).

NEWS

National

- **Biodiversity, protected areas and culture**

Brophy S “Eco-tourism death knell in Gansbaai as bronze whalers hunted in front of 'horrified' tourists” [Traveller24](#) 24 February 2020

- **Climate change and energy**

“South Africa's permission for ACWA plant expires, lawyers say” [Mining Weekly](#) 19 February 2020 [Legalbrief Environmental 25 February 2020]

“Climate change threatens SA socio-economic development – Creecy” [News24](#) 18 February 2020 [Legalbrief Environmental 25 February 2020]

Khumalo S “Carbon tax is going up - and plastic straws may soon be taxed as well” [fin24](#) 27 February 2020

“Eskom waiting for government on 3 000 megawatt gas-fired plant” [City Press](#) 28 February 2020

Liedtke S “DMRE plans to resume solar water heater programme” [Mining Weekly](#) 28 February 2020

- **Local government**

Local government: Germany funds Cape Town water projects

“The City of Cape Town has received €5.7m from the German Government to fund a range of water projects. It comes after the City announced its implementation of its water strategy last week. According to a Cape Argus report, the grant comes via the German Development Bank KfW. It will be used to fund a broad range of technical assistance and education and training measures to support the City's drive towards water resilience. The grant comprises two broad allocations, with €1.2m allocated for education and training measures in wastewater treatment, and €4.5m allocated to support the City's projects.”

Full Cape Argus report (subscription needed) Legalbrief Environmental 25 February 2020

General: Government asked to bail out 14 municipalities

“Bhisho has asked the national government to bail out 14 Eastern Cape municipalities that are in such financial distress they are struggling to pay salaries and keep the lights on. A Daily Dispatch report says some of the worst-affected municipalities even face the prospect of being closed down, or of being amalgamated with bigger, better-performing municipalities, though no details have yet been hammered out. Co-operative Governance & Traditional Affairs (Cogta) MEC Xolile Nqatha said he had written to Cogta Minister Nkosazana Dlamini-Zuma, asking for assistance for Beyers Naudé, Raymond Mhlaba, Enoch Mgijima, Walter Sisulu, Makana, Amahlathi, Amathole district, King Sabata Dalindyebo, Port St Johns, Great Kei, Inxuba Yethemba, Koukamma, Mhlontlo and Ngquza Hill municipalities. Nqatha said Bhisho would not be able to bail out the struggling councils on its own. ‘Because they are facing these high debts, including payments

owed to Eskom, they have no choice but to use money meant for service delivery to service such debt,' he said."

Full Daily Dispatch report Legalbrief 28 February 2020

Tandwa L "Switch off the lights to non-paying departments, municipalities - Malema to Eskom" [News24](#) 29 February 2020

Sizani M "Not safe to go to the toilet" [GroundUp](#) 24 February 2020

DeKlerk A "New law to promote township business, taxi ranks to become retail hubs: David Makhura" [TimesLive](#) 25 February 2020

- **Mining**

- Legislation: Long wait ahead for sovereign wealth fund Bill**

- "It could take until the end of SA's sixth democratic Parliament for a Bill establishing the promised South African sovereign wealth fund to be tabled – or so yesterday's Budget speech seems to suggest. 'Possible' revenue sources could include proceeds from auctioning high demand radio frequency spectrum; 'the sale of non-core state assets'; and 'petroleum, gas or minerals rights royalties'. Meanwhile, Finance Minister Tito Mboweni has confirmed that legislation is already in place allowing qualifying state-owned enterprises to apply for banking licences. He was referring to the 2019 Financial Matters Amendment Act. While the Minister's speech featured no policy surprises, it did mention proposals for a law aimed at preventing the employees of public entities from receiving 'excessive salaries'."

- Read full report in Legalbrief Policy Watch 27 February 2020

- "South Africans working together will find energy solutions – ARM" [Mining Weekly](#) 28 February 2020

- "Going green is a good business proposition – Schmidt" [Mining Weekly](#) 28 February 2020

- **Water, oceans, waste and chemicals**

- Ndaba B "Sisulu slashes R3.3bn water, sanitation bill" [IOL](#) 24 February 2020 [Legalbrief 25 February 2020]

- Alfreds D "Table Mountain cableway company is taking on a mountain of waste" [News24](#) 27 February 2020

- Ntshongwana Y "Eastern Cape villagers promised water in 1998, still waiting" [GroundUp](#) 25 February 2020

- Human L "Small organisation fights pollution in Cape Town rivers" [GroundUp](#) 25 February 2020

- Chirume J "Vandals make drought worse in Graaff-Reinet" [GroundUp](#) 24 February 2020

- Kings S "Water theft: Thirty years of looting" [GroundUp](#) 28 February 2020

- **Miscellaneous**

- Newman D "Green budget needed to launch SA on new path of sustainability" [Business Day](#) 24 February 2020 [Legalbrief Environmental 25 February 2020]

Environmental: More time to comment on EIA protocols

The deadline for comment on draft environmental impact assessment and reporting protocols gazetted in January has been extended. Focusing on terrestrial animal and plant species, once in force the proposed new protocols will replace Appendix 6 (specialist reports) of the 2014 environmental impact assessment regulations.

Read full report in Legalbrief Policy Watch 27 February 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“Nigeria probes video showing manatee dragged down street” [News24](#) 24 February 2020

“Nearly 50 rhino killed in Botswana in 10 months as poaching surges” [News24](#) 24 February 2020 [Legalbrief Environmental 25 February 2020]

McCarthy Holliday E “Supreme Court hears arguments in Appalachian Trail pipeline, Sudan bombing cases” [The Jurist](#) 25 February 2020

“China may send ducks to battle Pakistan's locust swarms” [BBC](#) 26 February 2020

Carroll R “Welsh woman declares vindication after ‘guerrilla rewilding’ court case” [The Guardian](#) 29 February 2020

“Malawi legalises cannabis for medicine and industrial fibres” [TimesLive](#) 28 February 2020

Foley M and Smith A “Ex-fire chiefs say 'ridiculous' bushfire funding stymies waterbombing” [Sydney Morning Herald](#) 28 February 2020

- **Climate change and energy**

“EU nations pressure Brussels to bring forward carbon border tax proposals” [Carbon Pulse](#) 27 February 2020

“Philippines lawmaker pushes cap-and-trade bill” [Carbon Pulse](#) 27 February 2020

Espiner T “Climate campaigners win Heathrow expansion case” [BBC](#) 27 February 2020 – read also [The Guardian](#) / [The Jurist](#) / [The Independent](#)

“Banks must step up climate risk disclosures, Lagarde says” [Reuters](#) 27 February 2020

“Shell and Gasunie plan to build massive Dutch green hydrogen plant” [Reuters](#) 27 February 2020

Abnett K “No backsliding on climate goals, carbon price, EU tells Britain” [Reuters](#) 25 February 2020

Jessop S “Europe's top firms must double low-carbon investment: study” [Reuters](#) 25 February 2020

Obayashi Y “Japan to tighten export policy on coal-fired power plants: minister” [Reuters](#) 25 February 2020

Cachero P “A climate change denial group has hired a German YouTuber to challenge Greta Thunberg” [Business Insider](#) 25 February 2020

“Greta Thunberg Bristol climate strike: 'The world is on fire'” [BBC](#) 28 February 2020

Harrabin R “New roads face Heathrow-style court action threat” [BBC](#) 28 February 2020

Inman P “World may miss carbon targets unless big firms improve – Mark Carney” [The Guardian](#) 27 February 2020

Ambrose J “Drax power plant to stop burning coal, with loss of 230 jobs” [The Guardian](#) 27 February 2020

Jolly J “Anger over World Bank's \$55m pledge to Guyana's fossil fuel industry” [The Guardian](#) 27 February 2020

Ambrose J “Oil regulator to revise remit to address climate crisis” [The Guardian](#) 26 February 2020

Murphy K “Australia's electricity market must be 100% renewables by 2035 to achieve net zero by 2050 – study” [The Guardian](#) 26 February 2020

Murphy K and Morton A “Angus Taylor to announce shift in climate investment away from wind and solar” [The Guardian](#) 27 February 2020

“Electric car fast-charging network one of Australia's 'highest priorities'” [Sydney Morning Herald](#) 28 February 2020

“China boasts carbon intensity drop in 2019, but data suggest absolute emissions rose” [Carbon Pulse](#) 28 February 2020

“Oil and gas boom continues to drive up Australia's emissions” [Carbon Pulse](#) 28 February 2020

Hill T “Global oil and gas giants team up in support of Teesside net zero cluster” [BusinessGreen](#) 28 February 2020

“Coronavirus: Nasa images show China pollution clear amid slowdown” [BBC](#) 29 February 2020

- **Mining**

Hursh A “Federal judge allows South Carolina lawsuit over offshore drilling to proceed” [The Jurist](#) 20 February 2020 [Legalbrief 24 February 2020]

“NNPC, Partners Disburse \$360m for Ogoni Clean-up” [This Day](#) 18 February 2020 [Legalbrief Environmental 25 February 2020]

“Canada mining firm accused of slavery abroad can be sued at home, supreme court rules” [The Guardian](#) 28 February 2020

Murphy K “Anthony Albanese denounces 'lazy cynicism' of Nationals in appeal to NSW coal country” [The Guardian](#) 28 February 2020

Smee B and Butler B “Collinsville: the Queensland town on the frontline of the coal wars” [The Guardian](#) 28 February 2020

Davies A “Scathing report into NSW coal seam gas could create new hurdles for Santos Narrabri project” [The Guardian](#) 27 February 2020

Papenfuss M “Judge voids Oil and Gas Leases on 1 Million Acres of Public Land” [HuffPost](#) 29 February 2020

“Husky Energy blames long Canada regulatory process for canceled Teck oil project” [Mining Weekly](#) 28 February 2020

Morehouse C “Massive new bipartisan Senate energy legislative package could see vote as early as next week” [UtilityDive](#) 28 February 2020

- **Water, waste, oceans and chemicals**

Stephens C “Massachusetts Supreme Court finds establishment of prescriptive easement is not a ‘taking’” [The Jurist](#) 26 February 2020

Kings S “Floods in Ireland: A postcard from the edge of the climate crisis” [Mail & Guardian](#) 28 February 2020

“Ethiopia to Skip Latest Round of Nile Talks” [East African](#) 27 February 2020

Milman O “New York plastic bag ban comes into force but opponents tote exceptions” [The Guardian](#) 29 February 2020

McCormick E “Coke and Pepsi sued for creating a plastic pollution ‘nuisance’” [The Guardian](#) 27 February 2020

- **Miscellaneous**

Boyle K “Iran court upholds sentences for environmental activists” [The Jurist](#) 21 February 2020

Mauroni A “Vermont legislators propose environmental protection amendment to state constitution” [The Jurist](#) 24 February 2020

Holden E “Oil and gas industry rewards US lawmakers who oppose environmental protections – study” [The Guardian](#) 24 February 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

City of Cape Town: Spatial Planning and Environment • Environmental Management Manager: Environmental Planning and Sustainability REF.: SPE 24/20

Closing Date: 06 March 2020

Requirements: • A minimum of a relevant Bachelor's degree in a field such as, Environmental Management, Environmental Sciences, Development Planning, Engineering or Resource Economics • A relevant Master's or Doctorate degree is highly advantageous • At least 10 years' experience at an appropriate level in Environmental Management, preferably in the Public Sector • Experience in management, policy formulation, budget preparation and execution, project and process management • Stakeholder interface and partnership building at management level.

Key Performance Areas: • Manage and develop an effective business

management approach, including efficient environmental fiscal strategies for the Environmental Management Department and the City of Cape Town • Manage and build the City's external and international environmental funding programme through maintaining and developing national and international partnerships • Manage, design and oversee the ongoing implementation of key environmental programmes, including building the Department's capital project implementation capacity • Manage and coordinate the Department's annual budget as well as developing and maintaining a 5-year departmental business plan • Develop and build the City's international profile as it relates specifically to funding and investment opportunities for sustainable development and resilience to climate change.

Please apply [online](#) (external applicants) or via the SAP Portal (internal applicants)

University of Pretoria: Department of Procedural Law: Professor/Associate Professor and Head of Department (One Post)

Closing date: 12 March 2020

More [information](#)

Pearson: Campus Principal: Bloemfontein

Closing date: 1 March 2020

More [information](#)

NRF and Fulbright: Fulbright Doctoral Training Programme for 2nd and 3rd year students in particular

Follow the [link](#) to the call for applications:

International

PhD Research Fellow within Carbon Capture and Storage (CCS) Scandinavian Institute of Maritime Law, Faculty of Law, University of Oslo, Norway

Full description [here](#)

Application deadline: 18 March 2020

Haub Law LLM Fellowship Positions

Environmental Law Graduate Fellow, Energy and Climate Law Graduate Fellow, Land Use and Sustainable Development Graduate Fellow, and Food and Agriculture Law Graduate Fellow. Full details on each position, and information on how to apply for these fellowships can be found at [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 10

6 March 2020

University applications invited: *Annual ELA Environmental Law Excellence Prize for Top Academic Performance in Undergraduate LLB Environmental Law Module*

Faculties and Schools of Law in South Africa are invited to apply to the ELA for financial support towards an annual prize for the top academic achiever in the undergraduate (LLB) environmental law module. This offer is open to all universities in the country that presents Environmental Law as a LLB module.

Applications may be directed to: [Anel du Plessis](#) and [Saritha Marais](#)

BILLS

Draft Transport Appeal Tribunal Amendment Bill, 2020 - Gen Notice 130 in GG 43057 of 28 February 2020 - notice of intention to introduce and explanatory summary

Private Member's Bill Fiscal Responsibility Bill – Gen Not 142 in GG 43073 6 March 2020 – intention to introduce Bill in Parliament

Merchant Shipping Bill, 2020 – Gen Not 159 in GG 43080 of 6 March 2020 - Public and stakeholders information sessions – also for comment

Railway Safety Bill, 2020 – Gen Not 158 in GG 43079 of 6 March 2020 – Bill and memorandum

NOTICES

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 - GN 203 in GG 43050 of 28 February 2020 - 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 - for comment

Public Finance Management Act 1 of 1999 – Gen Notice 119 in GG 43050 of 28 February 2020 - Rate of interest on government loans in terms of s. 80(1)(a) and (b) prescribed with effect from 1 March 2020

Meat Safety Act 40 of 2000 - GN 201 in GG 43050 of 28 February 2020 - Proposed substitution of Schedule 1 - for comment

National Nuclear Regulator Act 47 of 1999 – Gen Not 171 in GG 430703 of 6 March 2020 - Notice of application for nuclear vessel licence in terms of section 21(3)

Disaster Management Act 57 of 2002 – GN 243 in GG 43066 of 4 March 2020 - Declaration of national state of disaster due to drought

Disaster Management Act 57 of 2002 – GN 244 in GG 43073 of 6 March 2020 - Guideline on concluding cooperation and mutual assistance agreements

Disaster Management Act 57 of 2002 – GN 245 in GG 43073 of 6 March 2020 - Guideline on conduction an initial on-site assessment

Disaster Management Act 57 of 2002 – GN 246 in GG 43073 of 6 March 2020 - Guideline for the classification of a disaster and the declaration of a state of disaster

Disaster Management Act 57 of 2002 – GN 247 in GG 43073 of 6 March 2020 - Guideline on Contingency Planning and Arrangements

Petroleum Products Act 120 of 1977 – GN R242 in GG 43063 of 3 March 2020 - Maximum retail price for liquefied petroleum gas

PROVINCES

Eastern Cape

Disaster Management Act 57 of 2002 – PN 48 in PG 4393 of 2 March 2020 – Request for the extension of gazetted declaration of municipal state of disaster

Division of Revenue Bill 3 of 2020 – PN 50 in PG 4393 of 2 March 2020 – Publication of transfers by Provincial Departments of Office of the Premier, Health, Education, Economic Development, Environmental Affairs and Tourism and Human Settlements

Gauteng

Spatial Planning and Land Use Management Act 16 of 2013 – LN 273 in PG 58 of 3 March 2020 – Ekurhuleni Municipality – Ekurhuleni Municipal Planning Tribunal (EMPT) – appointment of persons to serve as members of the EMPT

Western Cape

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20096 in PG 8211 of 28 February 2020 - George Local Municipality - Appointment of the Eden Joint Municipal Planning Tribunal members

North West

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 40 in PG 8102 of 25 February 2020 - Ramotshere Moiloa Local Municipality - Appointment of additional members to serve in the Municipal Planning Tribunal

Municipal Finance Management Act 56 of 2003) – ON 1 in PG 8105 of 3 March 2020 - Consolidated statements on the performance of municipalities in terms of the Act

KwaZulu Natal

Promotion of Access to Information Act 2 of 2000 – MN 12 in PG 2172 of 5 March 2020 – King Cetshwayo District Municipality – section 14 Manual

Limpopo

Spatial Planning and Land Use Management Act 16 of 2013 – PN 32 in PG 3070 of 6 March 2020 - Determination of land development and land use applications for various municipalities – Mopani District Municipality, Ba-Phalaborwa Municipality, Greater Giyani Municipality, Greater Letaba Municipality and Maruleng Municipality

Spatial Planning and Land Use Management Act 16 of 2013 – PN 33 in PG 3070 of 6 March 2020 - Mopani District Municipality Spatial Development Framework 2019-2020 – for comment

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 35 in PG 3070 of 6 March 2020 - Makhuduthamaga Local Municipality – Spatial Land Use and Management Bylaw, 2020

BEST PRACTICE GUIDELINES

SANBI and BirdLife - 2020 Species Environmental Assessment Best Practice [Guideline](#) to be implemented with the Terrestrial Flora (3c) & Terrestrial Fauna (3d) Species Protocols for environmental impact assessments in South Africa currently published for comment – comments to [D Raimondo](#) before March 24th. For any queries, please contact [Samantha](#) or 083 673 3048.

CASES

National

Long Beach Homeowners Association v MEC for Economic Development, Environmental Affairs and Tourism, Eastern Cape 2020 (2) SA 257 (ECG)

Environmental law—Protection of environment—Dispute—Referral to conciliation—Power of court under NEMA s 17(3) to refer dispute to conciliation—Dispute meaning dispute concerning protection of environment, not dispute over handling of internal appeal by MEC—Court lacking power to suspend latter pending conciliation—National Environmental Management Act 107 of 1998, s 17(3).

S v Cloete and Others 2020 (1) SACR 317 (FB)

Conservation—Threatened and protected species of wild animal—Performance of restricted activity without permit—Licensed breeders of lion and cheetah experiencing emergency situation when cubs born during cold spell—Tagging impossible due to age and condition and requisite permit could therefore not be granted for their transportation to facilities where

necessary treatment and care could be provided—Defences of impossibility and necessity succeeding on appeal—National Environmental Management Biodiversity Act 10 of 2004, s 57(1); Free State Nature Conservation Ordinance 8 of 1969 s 14(1), 40(1)(b).

Manuel v Sahara Computers (Pty) Ltd and Another 2020 (2) SA 269 (GP)

Access to information—Access to information held by private body—Irrelevant that another party may also be in possession of records sought—Promotion of Access to Information Act 2 of 2000, s 50. Access to information—Access to information held by private body—Records not found or non-existent—Whether respondent complied with statutory requirements—Promotion of Access to Information Act 2 of 2000, s 55.

Access to information—Access to information held by private body—Person acting as though CEO of private body—Person qualifying as private body—Promotion of Access to Information Act 2 of 2000, s 1 sv ‘private body’.

Access to information—Records necessary for exercise or protection of right—Whether amounting to disguised prelitigation discovery—Not when records needed to formulate claim or identify correct defendant—Promotion of Access to Information Act 2 of 2000, s 7.

Practice—Applications and motions—Dispute of fact—Referral for oral evidence—If court finds allegations made by party erroneous or false, it may order viva voce evidence even in absence of dispute of fact—Uniform Rules of Court, rule 6(5)(g).

Khanyisa Community Development Organisation and Others v Director: Development Management: Region 2, Western Cape Department of Local Government, Environmental Affairs and Development and Another (10032/17) [2020] [ZAWCHC](#) 16 (5 March 2020)

“1. The third respondent, the Cape Winelands District Municipality (“the District Municipality”) was duly established as such under Chapter 2 of the Municipal Structures Act, 117 of 1998 (“the MSA”) and exercises jurisdiction over a number of Local Municipalities in the Boland. Its geographical footprint (which covers a large area) is effectively split by a series of mountain ranges running north to south: the western portion of the District Municipality’s jurisdiction incorporates the municipalities of Stellenbosch and Drakenstein while the eastern portion serves the municipalities of Witzenberg, Breede Valley and Langeberg. In terms of s84(1)(e)(iii) of the MSA a district municipality is given responsibility for establishment of waste disposal sites in the various local municipalities falling under its jurisdiction.

2. During 2010 the District Municipality began a process aimed at the rationalization of its waste management functions in the eastern region, the intention being the establishment of a regional landfill site to accommodate the ever increasing demand for solid waste management in the local municipalities falling within that region.

3. After conducting a series of studies over a period of time, the District Municipality sought, and was granted, environmental authorization on 4 September 2015 by the first respondent (“the Director”) to construct a new regional landfill at a site immediately adjacent to the existing landfill site outside Worcester. For the sake of convenience this authorization, which

was granted in terms of s24 of the National Environmental Management Act, 107 of 1998 (“NEMA”), will be referred to as the “*the Director’s ROD*”. Pursuant to such approval, the intention was that all waste in the eastern region of the District Municipality was to be transported by road to the new site at Worcester. Where appropriate, use would be made of transfer stations at which waste would be temporarily stored before onward transmission to the new regional site. So, for instance, the existing site at Tulbagh would henceforth serve as such a transfer station for the towns under the Witzenberg Municipality.

4. A number of bodies and individuals exercised their appeal rights against the Director’s ROD. Such appeals were determined in favour of the District Municipality on 24 October 2016 by the second respondent (“*the MEC*”) under s43 of NEMA.

6. While there are generalized complaints that Site E would have adverse cumulative impacts on the health, safety and well-being of members of poor communities in the area, and a reliance on the environmental justice principles contemplated in s2(4)(c) of NEMA, the applicants essentially attack the Director’s ROD and the appeal decision on a fairly narrow ground. It is said that both decision-makers failed to have regard to the potential impact of the traffic conditions which would be occasioned by the use of road transport to convey waste from the various local municipalities to the new landfill site. It is said that the anticipated increase in traffic was an important factor which warranted a specialist study, that the District Municipality failed to conduct such a study and that the absence of such information rendered the decision-making process of the Director (and later the MEC) fundamentally flawed.

8. The applicants’ focus is accordingly on the nuisance, potential danger and inconvenience to the communities living in the immediate vicinity of the proposed Site E which is likely to be occasioned by the daily conveyance of waste from the various local municipalities to the site. Such nuisance is said to include noise pollution, exhaust fumes, noxious items/substances falling off the rubbish trucks and the general inconvenience which increased traffic flow might pose to other road users, in particular an increased source of danger to pedestrians and scholars who might have to cross the R43 to get to nearby schools.”

Ndlovu v Member of the Executive Council for Police, Roads and Transport: Free State Province and Another (4513/2019) [2020] [ZAFSHC](#) 41 (5 March 2020)

“Summary: Application for condonation in terms of section 3(4)(b) of the Institution of Legal Proceedings against Certain Organs of the State Act 40 of 2002”

MEB Energy (Pty) Ltd v Ndlambe Local Municipality and Another (466/2020) [2020] [ZAECHC](#) 16 (5 March 2020)

“Interdict against award of tender for “two megalitre seawater Ro package plant (desalination plant) on the banks of the Kowie River to supply the Ndlambe Municipality which is located in a drought stricken area. The tender provided for completion of works and installation within 60 days. Balance of water crisis and urgent relief.”

Mfeka and Others v Nkawana and Others (AR33/2019) [2020] [ZAKZPHC](#) 6 (28 February 2020)

[1] This matter involves the Bhangazi Community, who, historically was a group of people who once lived in the area of the St Lucia Estuary. During the 1950's, the erstwhile government commenced with evictions and forced removals of the members of the community who lived in this area, in order to give effect to plans to establish a conservation area and to convert other areas into pine and gum plantations.

[2] The St Lucia Wetlands Park (as it was previously known) was accordingly established as a conservation area, and in 1999 it was declared a world heritage site.

[3] The communities who had been dispossessed of their land rights, filed a claim for restitution, as they were able to do after the enactment of the Restitution of Land Rights Act.^[1]

[4] Ultimately, the claim was settled around September 1999 on the basis of a financial settlement with certain ongoing benefits and, in addition, the Bhangazi Community was awarded a five hectare plot of land situated on the south-eastern shore of Lake Bhangazi, which was intended for the creation of a cultural centre and museum to *inter alia*, commemorate the community's ancestors.

[5] Following the settlement of the land claim, a memorandum of understanding was concluded between the community and the KwaZulu-Natal Nature Conservation Board, in terms of which the community would, *inter alia*, receive a community levy from the Conservation Board.

[6] These funds would be managed by a trust, which ultimately lead to the registration of the Bhangazi Community Trust ('the trust') with the Master of the High Court, Pietermaritzburg (the fourth Respondent) under registration number IT736/2001/PMB."

Trust – trustee – Master may not order audit – legal standing of trustees

International

S v Ohio v S v Toledo [Case No. 3:19](#) CV 434 United States District Court for the Northern District of Ohio Western Division decided 27 February 2020

"On a Saturday morning in August 2014, City of Toledo officials issued a warning to residents: Don't drink the water. The City water supply contained unsafe levels of a toxic substance, and pollution in Lake Erie was the culprit. The water remained undrinkable for nearly three days. In response, Toledo residents began a multi-year campaign to add a Lake Erie Bill of Rights ("LEBOR") to the City Charter (Doc. 10-3 at ¶ 6). They collected over ten thousand petition signatures, triggering a February 2019 special election under Article XVIII, Section 9 of the Ohio Constitution (Doc. 41 at 37–38). LEBOR won about sixty percent of the 16,215 votes cast, so it became part of the Charter the next month." [Introduction to the judgment]

"Federal Judge Jack Zouhary said that voters from the city of Toledo might have been well-intentioned when they adopted an amendment to the city charter guaranteeing city residents 'the right to a clean and healthy environment' and self-government, but that the ordinance's guarantee that the lake would "exist, flourish and naturally evolve" was too vague and

‘exceeds the power of municipal government’ in Ohio.” [Summary P Parenteau Vermont Law School Envlawprofessors email list]

Nevsun Resources Ltd. v. Araya 2020 SCC 5 (CanLII)

“Public international law — Human rights — Act of state doctrine — Customary international law — *Jus cogens* — Peremptory norms — Doctrine of adoption — Direct remedy for breach of customary international law — Eritrean workers commencing action against Canadian corporation in British Columbia — Workers alleging they were forced to work at mine owned by Canadian corporation in Eritrea and subjected to violent, cruel, inhuman and degrading treatment and seeking damages for breaches of customary international law prohibitions and of domestic torts — Corporation bringing motion to strike pleadings on basis of act of state doctrine and on basis that claims based on customary international law have no reasonable prospect of success — Whether act of state doctrine forms part of Canadian common law — Whether customary international law prohibitions against forced labour, slavery, cruel, inhuman or degrading treatment and crimes against humanity can ground claim for damages under Canadian law — Whether claims should be struck.” [Also see Rickard C “A matter of justice - Workers win in Canada's cross-border ruling” 3 March 2020]

In Re Downstream Addicks and Barker (Texas) Flood-Control Reservoirs [Case No 17-9002](#) In the United States Court of Federal Claims Filed: 18 February 2020

This case is brought by residents of Harris County whose homes and properties were flooded by Hurricane Harvey in 2017. These individuals and families suffered both economic loss and the traumatic disruption of their lives, and they seek a remedy from the United States for an alleged taking of their property without just compensation. The Court can only dispense compensation for legal cause when a plaintiff’s fundamental property rights have been violated by the United States. In bringing their Fifth Amendment Takings claim, plaintiffs allege that the United States Army Corps of Engineers (“Corps” or “Agency”) violated their fundamental property rights. See Plaintiffs’ Motion for Summary Judgment (hereinafter “Pls.’ MSJ”) at 1. Two questions must be asked. First, what property did the government take? Second, how did the government take that property? The answers to these questions go to the heart of the Constitution’s taking clause. The waters that actually caused the invasion came from the unprecedented floodwaters from Hurricane Harvey when it stalled over Houston for four days, dumping approximately thirty-five inches of water on Harris County.

Mayor & City Council of Baltimore v. BP p.l.c. [Case No 19-1644](#) United States Courts of Appeal for the 4th Circuit decided 6 March 2020

“This appeal is about whether a climate-change lawsuit against oil and gas companies belongs in federal court. But this decision is only about whether one path to federal court lies open. Because 28 U.S.C. § 1447(d) confines our appellate jurisdiction, the narrow question before us is whether removal of this lawsuit is proper under 28 U.S.C. § 1442, commonly referred to as the federal officer removal statute. And because we conclude that § 1442

does not provide a proper basis for removal, we affirm the district court's remand order."

[State v. Higgins](#), No. DA 18-0233 (Mont. Mar. 3, 2020).

"The Montana Supreme Court upheld a trial court decision precluding a climate change activist from presenting a common law necessity defense. The activist—who cut a chain to gain access to a pipeline facility and then turned off the flow of oil—was convicted of misdemeanor criminal trespass and felony criminal mischief. The Montana Supreme Court found that the necessity defense was not available to the defendant for his "indirect civil disobedience" (i.e., conduct involving violation of a law that was not itself the object of protest). The Supreme Court also noted that the trial court had found a lack of immediacy in the harm. The Supreme Court also rejected the application of out-of-state authority allowing the necessity defense in a similar context and was not persuaded by the defendant's contention that the trial court had unfairly raised the necessity issue at trial by questioning the defendant about his 'perception of the immediacy of the climate problem'." [Sabin Law Centre Summary in March 2020 Sabin Center for Climate Change Law Update]

[Center for Biological Diversity v. Ross](#), No. 1:19-cv-02526 (D.D.C. Feb. 27, 2020)

Pursuant to a settlement agreement filed in federal district court in the District of Columbia, the National Marine Fisheries Service (NMFS) and other federal defendants agreed to make proposed determinations concerning designation of critical habitat for 12 species of coral listed as threatened and found in U.S. waters. The Center for Biological Diversity, which filed suit in 2019, alleged in its complaint that the coral species face an "extinction crisis due to the threats of climate change, ocean acidification, disease, overfishing, and pollution, among others." In the settlement agreement, NMFS agreed to make the proposed critical habitat determinations by July 31, 2020. [Sabin Law Centre Summary in March 2020 Sabin Center for Climate Change Law Update]

[Juliana v. United States](#), No. 18-36082 (9th Cir. Mar. 2, 2020)

The plaintiffs in *Juliana v. United States* sought *en banc* reconsideration of the Ninth Circuit's ruling that they did not have standing to pursue their claims against the federal government for alleged violations of their constitutional rights, including a substantive due process right to a "climate system capable of sustaining human life." The plaintiffs argued that the Ninth Circuit majority made "significant errors of law," including by finding that declaratory relief was not sufficient to establish the redressability prong of standing. The plaintiffs also argued that the Ninth Circuit majority erroneously rejected partial redress of injury as a basis for standing, incorrectly concluded that Article III courts lacked power to institute a remedial plan to redress the plaintiffs' injuries, and improperly "created a new redressability test infused with the political question analysis" from Supreme Court precedent. The plaintiffs contended that the Ninth Circuit's decision therefore met every test for *en banc* reconsideration since it implicated "profoundly important issues" of catastrophic climate change harms to children; conflicted with Supreme Court, Ninth Circuit, and sister circuit law; and affected the national uniformity of the application of the law

of redressability. The plaintiffs asserted that an *en banc* rehearing was particularly appropriate in this case because it involved children's constitutional rights. They said that over the past decade, the Ninth Circuit had "consistently granted rehearing in cases where children's constitutional rights were denied by the 3-judge panel, only denying rehearing in such cases where the 3-judge panel originally upheld the children's rights or allowed them to pursue their claims in another tribunal." [Sabin Law Centre Summary in March 2020 Sabin Center for Climate Change Law Update]

[Center for Biological Diversity v. Bernhardt](#), No. 4:20-cv-00075 (D. Ariz., filed Feb. 20, 2020)

Center for Biological Diversity and Maricopa Audubon Society filed a lawsuit challenging federal defendants' failures to take actions to protect the endangered New Mexico meadow jumping mouse. The complaint alleged that a 2014 Species Special Assessment Report identified sources of habitat loss for the jumping mouse that included drought and wildfires, both exacerbated by climate change. In correspondence to the plaintiffs, the U.S. Forest Service declined to reinstate consultation under the Endangered Species Act concerning the impacts of the ongoing implementation of the Land Management Plan (LMP) for the Apache-Sitgreaves National Forest on the jumping mouse. The Forest Service indicated that effects of climate change and other effects were part of the baseline for the LMP, not the result of the LMP. The complaint asserted violations of the Endangered Species Act and the National Forest Management Act. [Sabin Law Centre Summary in March 2020 Sabin Center for Climate Change Law Update]

PUBLICATIONS

National

Van Wyk J *Planning Law* 3rd edition ([Juta](#) 2020)

Vinti Clive "The right to mine in a 'protected area' in South Africa: Mining and Environmental Justice Community Network of South Africa v Minister of Environmental Affairs" 2019 [South African Journal on Human Rights](#) DOI: 10.1080/02587203.2019.1662325

Clive Vinti "Appeal against a decision by a political office bearer as postulated by section 62 of the local government: Municipal Systems Act 32 of 2000: City of Cape Town v Reader Revisited" 2019 30(3) *Stellenbosch Law Review*

Anon "Meaning of Mining" 2019 58 *Income Tax Reporter* 484

International

Allan J *et al* "The State of Global Environmental Governance 2019" (IISD [Report](#) February 2020) [now formally available]

"14th GCF Insight [Report](#)" (Eco March 2020) [provided by Andrew Gilder ClimateLegal]

Leal-Arcas R "Climate Clubs and International Trade across the European and International Landscape" 2020 29(3) [European Energy and Environmental Law Review](#)

Richards JL *et al* Prevalence of critically endangered European eel (*Anguilla anguilla*) in Hong Kong supermarkets” 2020 6(10) [Science Advances](#) DOI: 10.1126/sciadv.aay0317

Lazarus R *The Rule of Five: Making Climate History at the Supreme Court* (Harvard University [Press](#) 2020)

Burger Michael, Wentz Jessica and Horton Radley “The Law and Science of Climate Change Attribution” 2020 45 [Colum. J. Envtl. L.](#) 57

2020 9(1) *Transnational Environmental Law Review* - issue on climate change law – available [here](#)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, national parks, animal rights and culture**

[The Conversation](#): Samways M “Weaving insect wildlife back into the tapestry of life” 2 March 2020

- **Climate change and energy**

[Daily Maverick](#): Planting S “The Great Energy Debate: Atoms vs Photons” 6 March 2020

[Mail & Guardian](#): Kings S “Climate change — the only-catastrophically-bad good news” 6 March 2020

- **Local government**

[The Conversation](#): Demaria F and Todt M “How waste pickers in the global South are being sidelined by new policies” 1 March 2020

- **Mining**

[Lexology](#): Fasken “How is South Africa’s regulatory framework supportive of its junior mining industry?” 3 February 2020

- **Miscellaneous**

[Daily Maverick](#): Ho U “Makoma Lekalakala: A social-economic environmental activist, mixed with a pinch of crazy, who stopped a nuke deal” 5 March 2020

[Daily Maverick](#): Stoddard E “Governance is ‘like a web’ — but in SA, the laws are like cobwebs” 6 March 2020

Africa

- **Biodiversity, protected areas, animal rights and culture**

[Science](#): Stokstad E “An emerging virus is killing farmed fish, but breeders can help them fight back” 4 March 2020

[The Guardian](#): Barkham P “Hooded vultures 'on brink of extinction' in Africa after mass poisoning” 6 March 2020

[The Conversation](#): Akindele EO “Destroying Nigeria’s riverside forests is bad for the freshwater ecosystem” 3 March 2020

[The Conversation](#): Kimanze J “What Kenya must do to save its roan antelope population” 3 March 2020

- **Climate change and energy**

[Voice of Africa](#): Elias V “South Sudan’s Ruweng Community Demands Compensation for Oil Spills” 27 February 2020 [Legalbrief Environmental 3 March 2020]

[UNFCCC](#) “Africa Climate Week in Kampala Postponed” 6 March 2020

- **Mining**

[The Guardian](#): Weston P “Plan to drain Congo peat bog for oil could release vast amount of carbon” 28 February 2020

- **Water, waste, oceans and chemicals**

[Mail & Guardian](#): Carnie T “Africa must act on pesticide ‘double standards’” 5 March 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Mwangi W “Regional Events Identify Accelerators for Africa’s Decade of Action” 3 March 2020

[Engineering Weekly](#): “African trade and energy developments poised to boost agriculture” 6 March 2020

International

- **Biodiversity, national parks and culture**

[PNAS](#): Carey J “News Feature: The best strategy for using trees to improve climate and ecosystems? Go natural” 3 March 2020

[IISD](#) SDG Knowledge Hub: Wagner L “Revised Text for Global Biodiversity Framework Requested by June” 5 March 2020

[The Guardian](#): Greenfeld P “Rich countries could be asked to pay billions to protect biodiversity” 2 March 2020

[The Guardian](#): Philips D “Brazilian meat companies linked to farmer charged with ‘massacre’ in Amazon” 3 March 2020

[The Guardian](#): Carrington D “‘Seismic shift’: ministers signal end of badger cull” 5 March 2020

[The Guardian](#): Carrington D “Glowing, glowing, gone: plunge in glow-worm numbers revealed” 5 March 2020

[The Guardian](#): Readfern G “Calls to declare koalas endangered as population declines by two-thirds in 20 years” 3 March 2020

[BBC](#): Briggs H “Global rescue plan for nature 'overlooks genetic diversity'” 6 March 2020

- **Climate change and energy**

[CarbonBrief](#): “Analysis: UK’s CO2 emissions have fallen 29% over the past decade” 3 March 2020

[Clean Energy Wire](#): Waldholz R “Sustainable travel and 'flight shame' growing concerns for Germans – survey” 3 March 2020

[IISD](#) SDG Knowledge Hub: Mead L “Report Warns of Climate Change Induced Global Security Risks” 3 March 2020

[IISD](#) SDG Knowledge Hub: Wagner L “IPCC Agrees on Outline for Synthesis of Sixth Assessment Report” 5 March 2020

[CBC](#): Schmunk R “Supreme Court of Canada will not hear B.C. groups' challenges against Trans Mountain pipeline expansion” 5 March 2020

Climate Law [Blog](#): Francis A “U.S. Tribes Claim U.S. Government Violates Human Rights Obligations By Failing To Address Climate-Forced Displacement” 28 February 2020

[Daily Maverick](#): Walters T and Wegener A “Historic climate expedition shatters polar records” 6 March 2020

[Lexology](#): “The European Green Deal: Will It Be “Europe’s ‘Man on the Moon’ Moment”?” 2 March 2020

[The Guardian](#): Ambrose J “ExxonMobil 'tried to get European Green Deal watered down’” 6 March 2020

[BBC](#): McDonald K “Edinburgh University researchers use drones to map retreating Andes glaciers” 6 March 2020

[BBC](#): “Internet: Environmental cost of powering the web” 6 March 2020

- **Local government**

[Science](#): Kupferschmidt K “China’s aggressive measures have slowed the coronavirus. They may not work in other countries” 2 March 2020

[The Guardian](#): Cola A “Europe’s cities are leading the fight against xenophobia and the climate crisis” 6 March 2020

- **Mining**

[IISD](#) SDG Knowledge Hub: Fishman A “IRP [Report](#) Proposes Governance Framework for Extractives” 27 February 2020 “

[Lexology](#): “Update on Victorian petroleum moratorium” 3 March 2020

[IISD](#) SDG Knowledge Hub: Wagner L “Negotiations Advance on Regulations for Exploiting Seabed Mineral Resources” 5 March 2020

[Responsible Mining Foundation](#): Responsible Mining Index 2020

[Lexology](#): “Decommissioning in Australia - is the insurance market prepared?” 3 March 2020

- **Water, oceans, waste and chemicals**

[Science](#): Jacobs JP “Science advisers slam EPA’s new stream and wetland protection rule” 4 March 2020

[Science](#): Stokstad E “Fishing trawlers could harm water quality by disrupting seafloor microbes” 3 March 2020

- **Miscellaneous**

[The Nation](#): Zirin D and Boykoff J “The Coronavirus Exposes Why the Tokyo 2020 Olympics Should Be Canceled - The Tokyo Olympics were already unsafe. Now, they’re even more so” 4 March 2020

[IISD](#) SDG Knowledge Hub: Borges O *et al* “Praia Group Handbook is a Long-awaited Stepping Stone to Governance Statistics” 3 March 2020

[IISD](#) SDG Knowledge Hub: Pascual P *et al* “An Accelerator Under-Used? New Report Explores the Place of Culture in SDG Implementation” 3 March 2020

[IISD](#) SDG Knowledge Hub: “Aligning Global Financial Flows and the 2030 Agenda: Shifts and Repurposing Needed to Set a New Course” 5 March 2020

[IISD](#) SDG Knowledge Hub: Leone F “UN Issues Programme for HLPF 2020, Year One in Decade of Action” 5 March 2020

[Science](#): Brugger K “Trump administration expands reach of EPA secret science proposal” 4 March 2020

[Lexology](#): “Singapore: Introduction to the Resource Sustainability Act 2019” 4 March 2020

[The Guardian](#): Steinmetz G “More cows than people: America’s beef capital of the world – in pictures” 7 March 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date!

Date: 3-5 September 2020

Place: Gauteng

Environmental Law Short Course offered by Enterprises, University of Pretoria

Dates: 16 to 20 March 2020

For more information see: [Environmental Law](#)

NWU CEM Courses

- CEM-02.1.1 Environmental law

Dates: 23 - 27 March 2020

For more information contact Rosy Moloto (018) 299 2725 / Nonzuzu Seleka (018) 299 1470

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](#)

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Contact: Submissions via the landing page on the conference website.

Questions via the website or to [Tanya Stephens](#) or [Joanna Botha](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Call for abstracts

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

Groundtruth SASS5 Course

Dates: 4 – 7 May 2020

Venue 9 Quarry Road, Hilton, KZN

Please visit our [website](#)

Nelson Mandela School of Law Fort Hare University: Law, Science and Justice: Problems, Pitfalls and Potential Call for papers

Date: 14-16 August 2020

Place: Mpongo Park, East London

Abstracts 15 March 2020 to be sent to Dr [Adebola Olaborede](#)

For more information, contact Dr Olaborede

International

IUCN Academy of Environmental Law and Tilburg Sustainability Center Workshop: Enhancing Urban Climate Resilience: The Role of Law

Date: 10 September 2020

Place: Tilburg University, Netherlands

Abstract submission deadline: Monday 2 March 2020

Please submit abstracts of no more than 300 words to [Dr Angela van der Berg](#)

Registration deadline: Monday 3 August 2020 – registration is compulsory, please register [here](#)

For any inquiries, contact [Dr Angela van der Berg](#)

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

Abstracts: **1 March 2020**

More [information](#)

FSU Spring 2020 Distinguished Environmental Lecture: Cary Coglianese on the Scapegoating of Environmental Regulation

Date: 11 March 2020

[Live-streamed](#)

The FSU Program on Environmental, Energy, and Land Use Law is proud to welcome our Spring 2020 Distinguished Lecturer: Cary Coglianese, the Edward B. Shils Professor of Law, Professor of Political Science, and Founding Director of the Penn Program on Regulation at the University of Pennsylvania.

38th Annual Public Interest Environmental Law Conference in Oregon - Cancellation

After days of deliberation, the Conference Co-Directors have made the truly heartbreaking decision to cancel the 38th annual Public Interest Environmental Law Conference, which was scheduled to take place March 5-8, 2020. We do not take this decision lightly. The rapidly developing situation with COVID-19 in the Pacific Northwest demanded a cautious response to protect the public welfare.

“This was obviously a very tough decision, as we were looking forward to hosting everyone in Eugene. We apologize for the inconvenience this will cause in your travel plans. If you are a panelist or travel stipend recipient, we will reach out to you individually shortly. If you registered for CLE credits, we are looking into video recording options to fulfill your CLE requirements or refunds. We will also pursue options to preserve some of the other scheduled content via video recording and provide this online at a later date. Additionally, we are available for questions via [email](#).

“The Indigenous People’s Reception and Alumni Reception hosted by the Environmental and Natural Resources Center, both large events with food service, have been cancelled independently.

“Thank you all for your continued dedication, support, and tremendous effort in putting together PIELC 2020. We could not do it without each and every one of you. We look forward to seeing the whole PIELC community in 2021.”

The Co-Directors deserve commendation for their courage and use of the Precautionary Principle after spending a year putting together an amazing planned event.

IUCNAEL 2020 Colloquium: Workshop, Sponsored by the Research Committee of the IUCN Academy of Environmental Law

Date: 7 July 2020

Time: 10:00 - 12:00

For enquiries about this workshop please write to Professor [Afshin Akhtar-Khavari](#), QUT Law School, Brisbane, Australia: or [Katie Woolaston](#) [Flyer available from secretariat]

3rd conference of the Platform on International Energy Governance: Governing the Energy Transition: Local Action, International Ambition

Date: 24 April 2020

Place: Energy Charter Secretariat, 46 Boulevard de la Woluwe 1200, Brussels, Belgium (25 participants only)

More information: Contact Drs [Leslie-Anne Duvic-Paoli](#), [Gökçe Mete](#)

Free webinar Clean Energy Solutions Center and REN21: Status and emerging prospects for renewable energy in sub-Saharan African cities

Date: 25 March 2020

Time: 4:00 p.m. Johannesburg | 3:00 p.m. Paris | 2:00 p.m. London | 10:00 a.m. Washington

[Register](#)

To make the change to renewables, cities need to be involved, as energy cuts across the entire urban environment. Cities are large energy consumers; their municipal governments are often operators and owners of municipal infrastructure and have a direct responsibility to provide a healthy and sustainable living environment.

Sub-Saharan Africa is one of the world's most rapidly urbanizing regions. Current urbanization rates exceed the ability of many local governments to adapt, leading to inadequate infrastructure and large numbers of informal settlements, often called "slums". Widespread poverty does nothing to help the situation.

A lack of core infrastructure in the region, however, offers a major opportunity to orientate the region's growth along a more sustainable path. Local governments, with the use of renewable energy, can shape urban growth while simultaneously ensuring energy services are delivered to its populations. However, financial, political and governance problems prevent many cities from investing in local renewable energy, despite the clear benefits of increased access to clean, affordable energy, as well as improved air quality, energy security, and potential job opportunities.

This webinar will discuss the key findings of the recently launched Renewables in Cities Global Status Report (REC) and will detail the challenges and opportunities for renewable energy in sub-Saharan African cities. Discussion points from the webinar will feed into the upcoming 2020 REC report, which will feature renewables in sub-Saharan African cities.

Webinar: GCF 25th Meeting of the Board in Geneva Discussion of GCF insight #14

Date: Tuesday, 24th March

Time: 1pm GMT for '[Decoding GCF B.25 + Project financing](#)'

[Registration](#)

University Guelph Water Justice Workshop Fluid Thinking: Water Justice in a Changing Climate

Date: 3 April 2020

More [information](#)

New York Academy of Science Webinar: The future of energy storage

Date: 23 March 2020

Time: 11:30 AM - 12:45 PM EDT,

[Registration is required](#)

New York Academy of Science Webinar: Fire and Ice: The Impact of Climate Change on Environmental Ecosystems

Monday, 27 July 2020

Time: 11:30 AM - 12:45 PM

[Registration](#)

NEWS

National

- **Biodiversity, protected areas and culture**

McCain N “Three entangled whales rescued off Western Cape coast” [News24](#) 7 March 2020

Mashego P “Karoo rains spark brown locust invasion” [TimesLive](#) 1 March 2020

Bega S “SA-US breeding programme poses risk to wild birds” [IOL](#) 7 March 2020

Carlisle A “NSPCA court bid to ban live animal exports fails” [Dispatch Live](#) 28 February 2020 [Legalbrief 2 March 2020]

Marine: Sardine and anchovy fisheries plummet

“It is troubled waters for SA’s biggest fishery – and that is bad news for people and penguins. According to a report in The Herald, coming off a decade in the doldrums, anchovy and sardine populations are still weak, the Department of Environment, Forestry and Fisheries said last week. The R1.6b small pelagics fishery targeting anchovy and sardines is SA’s biggest in terms of catch volumes, with an average 277 000 metric tons landed annually, and it employs some 5 000 people. The little silver fish that underpin the industry are also a fundamental part of the marine ecosystem providing food to a wide range of predators including the endangered African penguin whose numbers have plummeted 30-40% in the past four years, related to a shortage of prey. Department spokesperson Zolile Nqayi said the latest annual survey of sardine and anchovy had been undertaken in November. ‘The sardine stock was estimated at 193 630 metric tons and the anchovy stock at 843 745 metric tons. For sardines, that’s higher than 2018’s estimate, but the second-lowest in the past five years. For anchovy, that’s lower than the 2018 estimate, and the lowest in the past five years,’ he said. ‘Related to climate change and the warming of sea temperatures there have been repeated red tides, massive algal blooms which poison and starve various species, including sardines and anchovies.’ Nqayi said that after the November assessment, provisional total allowable catch quotas had been formulated and these would be finalised by the end of April.”

Full report in The Herald (subscription needed) Legalbrief Environmental 3 March 2020

Criminal: Illegal fishing case to be heard in April

“The illegal fishing case involving fishing boat White Rose, owned by Port Elizabeth company Unathi-Wena, has been set down for April, the fishing authority said. A report in The Herald notes that the Department of Environment, Forestry and Fisheries said representatives of the vessel were due to appear in the Bredasdorp Magistrate’s Court on 22 April. The case relates to an incident in April last year in which the White Rose was caught allegedly fishing inside the De Hoop

Marine Protected Area (MPA). The accused first appeared on 4 February, according to Zolile Nqayi, a spokesperson for the department. 'Two accused have been charged – Tasneem Hajee representing Unathi-Wena Fishing CC, the owner of the vessel, and the skipper of the vessel, Joao Muniz,' Nqayi said." Full report in The Herald (subscription needed) Legalbrief Environmental 3 March 2020

"SA to host African Forestry and Wildlife Commission" [SA News](#) 25 February 2020

- **Climate change and energy**

Mashego A "Eskom wants Optimum liquidated" [City Press](#) 2 March 2020 [Legalbrief Forensic 5 March 2020]

Evans S "Medupi's killer fumes: The story of a power station's missing air scrubbers" [News24](#) 3 March 2020

"Moody's cuts Sasol to junk due to Lake Charles" [BusinessLive](#) 6 March 2020

- **Local government**

Yeld J "New twist in Noordhoek wetland road controversy" [GroundUp](#) 3 March 2020

Nowicki L "No end to water rationing in Makhanda" [GroundUp](#) 2 March 2020

"Rand Water to reduce water supply to three municipalities due to non-payment" [IOL](#) 7 March 2020

"Govt spheres, departments in fresh push to collaborate on district mapping, development" [Engineering Weekly](#) 6 March 2020

- **Mining**

"Minerals Council adopts nine-point action plan on coronavirus" [Biznews](#) 6 March 2020

"Eskom to file for Trillian liquidation to claw back state capture millions" [Biznews](#) 5 March 2020

"Nersa aiming to grant concurrence on Ministerial determinations within three months" [Mining Weekly](#) 5 March 2020

- **Water, oceans, waste and chemicals**

"Growth of liquid cartons cannot be contained" [IOL](#) 6 March 2020

- **Miscellaneous**

Madia T "Constantly changing DGs has weakened the state – Ramaphosa" [News24](#) 4 March 2020 [Legalbrief 5 March 2020]

"Bosses are stealing bigger sums, and ordinary people are seeing a gap too" [TimesLive](#) 3 March 2020 [Legalbrief 4 March 2020]

Legislation: Appeal granted over Transkei building rules oversight

“National building regulations do not apply to the geographic areas encompassed by the former Transkei bantustan, an oversight which lawyers argue needs urgent correction. A Daily Dispatch report notes one of the early laws passed by the democratic government to rationalise and bring former bantustan legislation in line with the unitary state appears to have overlooked the regulations and the National Building Standards Act (NBSA). The effect is that construction and development activities in the Transkei are not covered by the legislation which applies to the rest of the country. The situation was brought into sharp relief after a dispute in Port St Johns (PSJ) between the municipality and local resident Luxolo Fono. The municipality claimed that Fono had contravened its authority to manage building construction in the town, and had not undertaken an environmental impact assessment. Fono argued that the NBSA and the building regulations did not apply to his property. Mthatha attorney Mvuzo Notyesi has been critical of ‘rationalisation’ delays, citing the 1983 Transkei penal code which is still in force. However, he said while the rationalisation process had not included the building regulations published in 2008, this was a ‘mistake, a mere omission’. He said while the municipality might have been implementing laws which had no force in PSJ, ‘everybody has been complying without knowing that it is not applicable’. Acting Judge Jannie Coltman dismissed the PSJ municipality’s case against Fono last year, after finding that the building regulations and the NBSA were never extended to the Transkei. Given the significance of the matter, Coltman has now given the PSJ municipality leave to appeal his ruling to a full Bench of the High Court.”
Full Daily Dispatch report (subscription needed) Legalbrief 5 March 2020

Land reform: Will municipalities cope?

“Deputy President David Mabuza having confirmed on Tuesday that the 2013 Spatial Planning & Land Use Management Act will ‘guide’ land reform decisions at all levels – including local government – it would be helpful to know how many municipalities have the capacity to implement the Act and its regulations. This is especially given mounting evidence of municipal dysfunctionality nationwide. Regulation 2(3) and (4) state that, where a municipality ‘does not have (the) capacity to implement the provisions of Chapter 6 of the Act’ (land development management), the relevant district council should establish and administer a joint municipal planning tribunal – but only if it has ‘sufficient financial, administrative and professional capacity’ to perform this function. As recently as last week, President Cyril Ramaphosa blamed ‘lack of co-ordination’ and ‘skills deficits’ for the ‘persistent’ ‘teething problems’ being experienced across all three district development model pilots.”
Read full report Legalbrief 5 March 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Gorman J “China’s Ban on Wildlife Trade a Big Step, but Has Loopholes, Conservationists Say” [New York Times](#) 27 February 2020 [Legalbrief Environmental 3 March 2020]

Spring J “Exclusive: Brazil exported thousands of shipments of unauthorized wood from Amazon port” [Reuters](#) 4 March 2020

Harvey F “Tropical forests losing their ability to absorb carbon, study finds” [The Guardian](#) 4 March 2020

“Australia developing satellite to predict bushfire danger zones” [News24](#) 5 March 2020

Cockburn H “RSPB accuses government of ‘wild claims’ on HS2 environmental impact and says scheme is example of ‘worst practice’” [The Independent](#) 6 March 2020

Cockburn H “Almost 90% of dolphins in Indian Ocean wiped out by fishing industry, study suggests” [The Independent](#) 6 March 2020

Busby M “Brexit ‘opportunity to ban supertrawlers from UK waters’” [The Guardian](#) 7 March 2020

“Sea Watch Foundation survey reveals record numbers of whales and dolphins in UK waters” [BBC](#) 6 March 2020

Cockburn H “Tropical forests’ ability to absorb carbon nearing ‘tipping point’ and could soon accelerate climate crisis, study finds” [The Independent](#) 5 March 2020

Wahlquist C “South Australia blasted for issuing permit to cull southern hairy-nosed wombats” [The Guardian](#) 2 March 2020

Hannam P “‘Energy superpower’ hub hopes dim as Germany, Australia stop funding” [Sydney Morning Herald](#) 7 March 2020

Briggs H “Illicit wildlife products ‘slipping through the net’” [BBC](#) 6 March 2020

Spring J “Brazil restricts environmental employees’ media contact after Amazon wood exports report” [Reuters](#) 5 March 2020

- **Climate change and energy**

“Draft EU climate law to set 2050 net-zero ‘trajectory’ -leaked document” [Carbon Pulse](#) 3 March 2020

“Brussels unveils EU climate law, pledging to include 2030 emission goal later” [Carbon Pulse](#) 4 March 2020 – also read [The Jurist](#)

“China loosens restrictions on new coal-fired power plants” [Carbon Pulse](#) 4 March 2020

“Three New York state facilities miss 2019 RGGI interim compliance deadline” [Carbon Pulse](#) 3 March 2020

“WCI lawsuit ruling could also threaten RGGI, other state initiatives, experts say” [Carbon Pulse](#) 7 March 2020

“EU states have already completed over 70% of their 2020 free EUA allocations – data” [Carbon Pulse](#) 6 March 2020

Hall S “EC to include power in EU carbon border import tax plans” [S&PGlobal](#) 5 March 2020

Dezem V and Parkin B “Germany Sees No Role for Natural Gas in Draft Plan for Hydrogen” [Bloomberg Green](#) 5 March 2020

Easton A “Increased 2030 climate goal impossible for Poland: PGE” [S&PGlobal](#) 5 March 2020

“London pioneers first ‘virtual power station’” [Gov.Uk](#) 6 March 2020

Morton A “Morrison government to stop funding international collaboration on shift to zero emissions” [The Guardian](#) 6 March 2020

Kelly S “U.S. biofuel credits slump on expectation EPA will appeal refinery waiver ruling” [Reuters](#) 6 March 2020

“EU nations stand united on long-term climate strategy, less so on prompt action” [Carbon Pulse](#) 5 March 2020

“Germany to fall short of 2030 emissions target despite increased climate efforts – study” [Carbon Pulse](#) 5 March 2020

Pallardy D “European bank to prioritise loans to electrification projects over gas” [ICIS](#) 5 March 2020

“Half of world's beaches could vanish by 2100, warn researchers” [News24](#) 2 March 2020

“IBA launches Model Statute for climate change litigation against governments” [Lexology](#) 4 March 2020

Mokhtar F “Singapore girds itself for worst-case climate crisis” [TimesLive](#) 1 March 2020 [subscription needed]

Wast G “First Nations Chiefs propose agreement with Canada for indigenous land rights” [The Jurist](#) 4 March 2020

Mooney C and Dennis B “Coronavirus outbreak causes decline in China greenhouse gas emissions” [The Independent](#) 7 March 2020

Cockburn H “Manmade climate change effect on weather now as powerful as El Nino phenomenon, meteorologists warn” [The Independent](#) 3 March 2020

Stone J “Ban on subsidies for onshore wind farms to be lifted by government” [The Independent](#) 3 March 2020

“Europe experiences exceptionally warm winter” [BBC](#) 6 March 2020

Jones H Top UK firms face tougher climate disclosure rule” [Reuters](#) 6 March 2020

Hiller J and Bousso R “U.S. oil boom vs Europe's renewables focus? Big Oil's gap widens -- in words” [Reuters](#) 5 March 2020

Groom N and Valdmanis R “As climate fight intensifies, U.S. states seek to block local natural-gas bans” [Reuters](#) 5 March 2020

- **Local government**

Ainge E “Good thing for small packages: tiny homes movement wins big in New Zealand” [The Guardian](#) 6 March 2020

Proctor K “Silvertown tunnel an ‘environmental betrayal’, say Lib Dems” [The Guardian](#) 2 March 2020

- **Water, waste, oceans and chemicals**

“France - Law on fighting waste and the circular economy finally enacted” [Lexology](#) March 2020 (registration needed)– find the legislation in French [here](#)

Crowe P and Lynch P “Fly-tipping: Organised crime behind large rise” [BBC](#) 13 February 2020

“SCIP Database: A step forward for the circular economy” [Lexology](#) 4 March 2020

“The Scope of Jurisdictional Waters Has Been Narrowed”[USA] [Lexology](#) 28 February 2020

“Fifth District Holds EIR For Kern County’s Ministerial Oil and Gas Well Permitting Ordinance Violates CEQA Due To Improperly Deferred Mitigation For Water Supply Impacts, Inadequate Mitigation For Farmland Conversion, And Inadequate Analysis of Noise Impacts” [Lexology](#) 3 March 2020

“EPA Proposes New Multi-Sector General Permit for Industrial Stormwater” [Lexology](#) 3 March 2020

Abnet K “European countries, companies pledge to cut plastic waste” [Reuters](#) 6 March 2020

“Activists accuse Bulgarian government of illegally allowing waste burning” [Reuters](#) 6 March 2020

- **Miscellaneous**

Steinmetz J “How the Red Sea Project will reduce light pollution” [eTN](#) 2 March 2020

Riley W et al “Japan’s coronavirus infection rate could be ‘tip of the iceberg’ as experts call for more testing” [CNN](#) 5 March 2020

“Global cost of air pollution \$2.9 trillion a year: NGO report” [News24](#) 2 March 2020

“EPA Issues Final Rule for On-site Civil Inspection Procedures” [Lexology](#) 3 March 2020

“EPA Issues Part B to its Holistic Approach to CCR Unit Closure Proposal” [Lexology](#) 4 March 2020

“Trump Administration: Environmental (Budget) Impact Assessment” [Lexology](#) 5 March 2020

Salamacha R “Three organizations sue to block \$3.8 billion of military budget to be diverted to building border wall” [The Jurist](#) 2 March 2020

Volcovici V “U.N. cancels some meetings ahead of climate summit due to coronavirus” [Reuters](#) 6 March 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

NWU Faculty of Law: Senior Lecturer / Lecturer (P002871) (Potch campus - commercial law)

Closing date: 13 March 2020

More [information](#)

NWU Faculty of Law: SARChI Chair in Cities, Law and Environmental Sustainability – Researcher (fix term contract)

Closing date: 13 March 2020

More [information](#)

NWU Faculty of Law: Lecturer / Junior Lecturer (V002671) (Vaal Campus) (Language Skills and law)

Closing date: 13 March 2020

More [information](#)

NWU Faculty of Law: Lecturer / Junior Lecturer (M000983) (Mahikeng Campus) (Language Skills and law)

Closing date: 13 March 2020

More [information](#)

Faculty of Law: Associate Professor / Senior Lecturer (V000206) (Vaal Campus)

Closing date: 13 March 2020

More [information](#)

Faculty of Law: Professor / Associate Professor / Senior Lecturer ((P001005 & P002286) (Private and Commercial law) (Potch campus)

Closing date: 13 March 2020

More [information](#)

Faculty of Law: Lecturer / Junior Lecturer (M000729) (Mahikeng campus)

Closing date: 13 March 2020

More [information](#)

Faculty of Law: Junior Lecturer (NF00267 & NF00269) (Mahikeng) 1 year contract

Closing date: 13 March 2020

More information

MacRobert Attorneys, 2022 (Pretoria Branch)

Closing date: 30 June 2020

More [information](#)

MacRobert Attorneys 2022 (Cape Town Branch)

Closing date: 30 June 2020

More [information](#)

University of Cape Town Future Water Institute Faculty of Engineering & the Built Environment Junior Research Fellow (3-year contract)

Closing date: 19 March 2020

More [information](#)

University of Venda School of Law - Jurisprudence: Senior Lecturer

Closing date: 13 March 2020

More [information](#)

University of the Free State Department of Mercantile law: Senior Lecturer / Associate Professor / Professor

Closing date: 20 March 2020

More [information](#)

Nelson Mandela University: Department of Public law: Senior Lecturer / Associate Professor

More [information](#)

International

Consultant Climate Strategy (DACH), South Pole – Berlin/Zurich

Closing date: 30 June 2020

More [information](#)

Legal Associate, Urgenda Foundation, Climate Litigation Network – Amsterdam

More [information](#)

Analyst, Climate Policy and Research, UN Foundation – Washington DC

More [information](#)

Research Assistant, International Climate Policy, Wuppertal Institute – Germany

More [information](#)

Intern - Environment Affairs (Climate Change), I (Temporary Job Opening) (Panama City)

Closing date: 10 July 2020

More [information](#)

Environmental Law Specialist UNV position in the International Environmental Law Unit of UNEP

Deadline for applications is 17 March 2020

Follow the [link](#)

[Lectureship in Law](#)

University College Cork

[Assistant Professor in Public International Law](#)

University of Amsterdam Amsterdam Law School

[Postdoctoral Researcher in Groundwater Governance](#)

University of Amsterdam Faculty of Social and Behavioural Sciences

[Postdoctoral Research Fellow in Food Safety](#)

University of Oslo Faculty of Law

[Assistant / Associate / Full Professor of Law](#)

Prince Mohammad Bin Fahd University

[PhD Student in Gender, Labour, and Livelihood in a Global World](#)

Lund University Faculty of Social Sciences

[Lecturer in Law](#)

University of California Berkeley School of Law

[Postdoctoral Research Scholar / Associate Research Scholar in Law](#)

Columbia University New York

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 11

13 March 2020

University applications invited: *Annual ELA Environmental Law Excellence Prize for Top Academic Performance in Undergraduate LLB Environmental Law Module*

Faculties and Schools of Law in South Africa are invited to apply to the ELA for financial support towards an annual prize for the top academic achiever in the undergraduate (LLB) environmental law module. This offer is open to all universities in the country that presents Environmental Law as a LLB module.

Applications may be directed to: [Anel du Plessis](#) and [Saritha Marais](#)

BILLS

Fiscal Responsibility Bill, 2020 [B5-2020]

Draft Ease of Doing Business Bill, 2020 – Gen Notice 167 in GG 43090 of 13 March 2020 - Intention to introduce private member's bill and explanatory summary - for comment

NOTICES

Special Investigating Units and Special Tribunals Act 74 of 1996 - GN R273 in GG 43074 of 6 March 2020 - Referral of matters to existing Special Investigating Unit in respect of the affairs of the City of Johannesburg Metropolitan Municipality published in Proc R17 in GG 42338 of 29 March 2019 amended

Promotion of Access to Information Act 2 of 2000 –GG 43087 of 12 March 2020 - KwaZulu-Natal Department of Agriculture and Rural Development - amended section 14 manual

National Railway Safety Regulator Act 16 of 2002 – Gen Notice 162 in GG 43085 of 11 March 2020 - Draft Regulations regarding the category and type of all notifiable railway occurrences to be reported to the Chief Executive Officer, 2020 - for comment

PROVINCES

Gauteng

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 286 in PG 65 of 11 March 2020 - Mogale City Local Municipality - Land Use Scheme 2019 finalisation

Western Cape

Western Cape Community Safety Act 3 of 2013 - PN 22 in PG 8218 of 6 March 2020 - Western Cape Provincial Police Ombudsman - Notice of investigation concerning allegations that the South African Police Service is not providing the required level of services and support to protect and promote the rights of victims of crime

Limpopo

National Environmental Management: Protected Areas Act 57 of 2003 - PN 40 in PG 3071 of 13 March 2020 - Vhembi District Municipality - Notice to declare respective land parcels as a protected environment: Awelani Protected Environment - for comment

NORTH WEST

National Environmental Management: Protected Areas Act 57 of 2003 - PN 52 in PG 8106 of 10 March 2020 - Intention to declare land as a protected environment and a nature reserve - Molopo Private Protected Environment and Kukamakgama Nature Reserve

CASES

National

President of the Republic of South Africa and Another v Public Protector and Others (55578/2019) [2020] [ZAGPPHC](#) 9 (10 March 2020)

“Failure to Disclose and misleading Parliament - Executive Members' Ethics Act 92 of 1998 - Executive Code -- finding that President violated Executive Code by misleading Parliament -- Public Protector demonstrated fundamentally flawed approach to the principles underpinning question whether President violated Code by wilfully and "inadvertently" misleading Parliament - word "inadvertent" not contained in Code - whether the President breached the Executive Code by failing to disclose the CR17 campaign donations - Public Protector's conclusion that President breached Executive Code by failing to disclose donations to CR1 7 campaign irrational and unlawful”

International

[Opinion](#) CLI:EU:C:2020:143

The Advocate-General of the EU Court of Justice advised that the Flemish rules regarding shadow, safety and noise of wind farms indicate that an environmental impact assessment is necessary. The Belgium judge may therefore confirm that the authorisation for the windfarm Aalter/Nevele is temporarily valid if there is a need that electricity have to be provided.

City and County of Honolulu v Sunoco LP; Aloha Petroleum, Ltd and others Case no 1CCV-20-0000380 Circuit Court of the First Circuit State of Hawai'i – Complaint filed

Complaint file based on sea level rise and climate disruption – public nuisance – private nuisance – trespass [attached]

PUBLICATIONS

National

2020 16(1) [Quest](#) - now available – new science discoveries in South Africa - popular science – interesting for school children and adults

Muller M “Money down the drain: Corruption in South Africa’s water sector” (Corruption Watch [Report](#) March 2020)

International

Olawuyi DS “Can MENA extractive industries support the global energy transition? Current opportunities and future directions” 2020 [The Extractives Industry and Societies](#) <https://doi.org/10.1016/j.exis.2020.02.003>

International Renewable Energy Agency (IRENA) “*Electricity Storage Valuation Framework*” ([Report](#) March 2020)

Triple A “Enhancing at an Early Stage the Investment Value Chain of Energy Efficiency Projects” (draft [Report](#) February 2020)

Doukas H “On the appraisal of “Triple-A” energy efficiency investments” 2018 13(7) [Energy Sources, Part B: Economics, Planning, and Policy](#) 320-327

Green Fergus and Gambhir Ajay “Transitional assistance policies for just, equitable and smooth low-carbon transitions: who, what and how?” 2019 [Climate Policy](#) DOI: 10.1080/14693062.2019.1657379 [provided by Andrew Gilder ClimateLegal]

Hansen MC *et al* “The fate of tropical forest fragments” 2020 6(11) [Science Advances](#) DOI: 10.1126/sciadv.aax8574

Kennedy A, Schafft KA and Howard TM “Taking away David’s sling: environmental justice and land-use conflict in extractive resource development” 2017 22(8) [Local Environment](#) 952-968, DOI: 10.1080/13549839.2017.1309369

World Meteorological Organization “State of the Global Climate in 2019” ([Report](#) WMO-No. 1248 March 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, national parks, animal rights and culture**

[Traveller24](#): “Shark Attack! Flipping the image of our toothy friends in new conservation campaign” 11 March 2020

- **Climate change and energy**

[Business Insider](#): “Surprising things about Koeberg – now at the centre of load shedding – such as drone crashes” 12 March 2020

- **Miscellaneous**

[Webber Wentzel](#): “Covid-19: Flagging Significant Commercial & Legal Issues” 13 March 2020

[The Conversation](#): Philips H “South Africa bungled the Spanish flu in 1918. History mustn’t repeat itself for COVID-19” 10 March 2020

Africa

- **Climate change and energy**

[Extractives Baraza](#): “Parliament orders release of secret state oil export deal” 11 March 2020

- **Local government**

[ICLEI](#): “Using reflection to transition from problems to solutions in four African cities” March 2020

[ICLEI](#): “Mayor Sefiani takes on ICLEI advisory role and commits to a sustainable Chefchaouen by 2030” March 2020

[ICLEI](#): “Equipping coastal African cities with the tools they really need for climate change planning” March 2020

ICLEI: Youtube [video](#): “Covenant of Mayors in Sub-Saharan Africa (CoM SSA): Project introduction” 25 February 2020

- **Mining**

[Extractives Baraza](#): “Angola’s new diamond trading policy yields positive results” 11 March 2020

[Extractives Baraza](#): “Zambia buys artisanal gold to formalize unregulated mining” 11 March 2020

[The Guardian](#): Kelly A “Human rights activist 'forced to flee DRC' over child cobalt mining lawsuit” 10 March 2020

- **Miscellaneous**

[Fin24](#): Soto A “Fitch: Coronavirus could trigger capital flight from Africa” 10 March 2020 [Legalbrief 12 March 2020]

[BBC](#): “Why Ivory Coast wants to develop its cashew nut industry” 13 March 2020

[The Conversation](#): Swilling M “Africa: There's Hope, If We Wake Up to Today's Evolutionary Potential” 12 March 2020

[The Conversation](#): Mausch K and Harris D “Not just farmers: understanding rural aspirations is key to Kenya’s future” 9 March 2020

International

- **Biodiversity, national parks and culture**

[Youtube](#): Video capturing wildlife in the mountains of Pennsylvania crossing a river (as stress relief) [Zygmunt J.B. Plater Environmental Law Professors Email list]

[IISD](#) SDG Knowledge Hub: Anderson L “Nature Waves Flags of Warning on World Wildlife Day” 10 March 2020

[IISD](#) SDG Knowledge Hub: Mwangi W “Study Outlines Co-Benefits of Coordinated UNCCD, CBD Action” 12 March 2020

[Science](#): Lesté-Lasserre C “Scientists are leading Notre Dame’s restoration—and probing mysteries laid bare by its devastating fire” 12 March 2020

[Science](#): Sokol J “Madagascar’s mysterious, lemur-eating cats started as ship stowaways” 10 March 2020

- **Climate change and energy**

[Lexology](#): “The European Green Deal - Smart Clean Tech Takes to the Stage” 5 March 2020

[CarbonBrief](#): Evans S “Analysis: Fuel-duty freeze has increased UK CO₂ emissions by up to 5%” 10 March 2020

[Lexology](#): “USDA Requests Comments On Updates To Technical Guidelines For GHG Quantification And Carbon Sequestration” 6 March 2020

[Lexology](#): “An Accord That Modified Standard NOM-016-CRE-2016 Has Been Declared Unconstitutional” 12 March 2020

[Lexology](#): “Retail risk report 2020” 5 March 2020

[Lexology](#): “Following the Dutch Supreme Court's Urgenda judgment, the Netherlands is taking steps to reach climate goals by close of 2020” 6 March 2020

[Carbon Tracker](#): “How to waste over half a trillion dollars: The economic implications of deflationary renewable energy for coal power investments” 12 March 2020 [provided by Andrew Gilder ClimateLegal]

[Spinoff](#): MacLennan C “David vs Goliath: The man taking huge corporates to court over climate change” 9 March 2020 [provided by Andrew Gilder ClimateLegal]

[IISD](#) SDG Knowledge Hub: Mead L “UN Secretary-General, UK, Italy Outline Priorities for COP 26” 12 March 2020

[IISD](#) SDG Knowledge Hub: Mead L “WMO [Reports](#) on 2019’s High-Impact Climate Events” 12 March 2020

[Lexology](#): “Activists turn to law over climate crisis” 10 March 2020

[Lexology](#): “Oregon Legislative Session Ends Without a Climate Bill” 9 March 2020

[Lexology](#): “The UK Financial Conduct Authority Announces Proposals to Improve Climate-related Disclosures by Premium-listed London Stock Exchange Companies” 10 March 2020

[Science](#): Service RF “Next generation water splitter could help renewables power the globe” 10 March 2020

- **Local government**

[Lexology](#): “Third District Affirms Judgment Rejecting CEQA Challenges To EIR For Cordova Hills Master Planned Community Project” 6 March 2020

[ICLEI](#): “How to kickstart the circular transition: Learnings from Circular Turku” 2 March 2020

[Science](#): Service RF “Does disinfecting surfaces really prevent the spread of coronavirus?” 12 March 2020

[Lexology](#): “Waste Not, Want Not - Recent Waste Management Enforcement Measures by Local Authorities” 5 March 2020

- **Mining**

[UtilityDive](#): Morehouse C “Indiana passes coal plant support bill as Democrats removed from conference committee deliberations” 11 March 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “New Amendments to Prop 65 Regulations Aim to Clarify Warning Responsibility” 9 March 2020

[Lexology](#): “What Power Does Canada Have to Restrict Single-Use Plastics?” 10 March 2020

[Lexology](#): “EPA Releases Final TSCA § 8(b) CBI Substantiation and Review Plan Rule - Action Likely Required” 9 March 2020

[Lexology](#): “New Deadlines for Protecting Confidential Chemical Identities” 10 March 2020

[European Commission](#): “Changing how we produce and consume: New Circular Economy Action Plan shows the way to a climate-neutral, competitive economy of empowered consumers” 11 March 2020

[Lexology](#): “PFAS State Snapshot: North Carolina PFAS Regulation” 6 March 2020

[Lexology](#): “IEDA Opens Applications For Renewable Chemicals Production Tax Credit” 6 March 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Leone F “UN Statistical Commission Adopts 36 Changes to SDG Indicators” 10 March 2020

[Lexology](#): “FDA Launches New “Feed Your Mind” Initiative to Increase Consumer Understanding of Genetically Engineered Foods” 6 March 2020

[Lexology](#): “Pennsylvania Commonwealth Court Allows Township to Challenge Validity of State Statutes Under the Environmental Rights Amendment” 10 March 2020

[Lexology](#): “EPA Releases Supplemental Proposed Rule to the Proposed Rule on Strengthening Transparency in Regulatory Science” 9 March 2020

[Lexology](#): “New Guidance Portal Provides Public Access To EPA Guidance Documents” 6 March 2020

[Lexology](#): Germany Intends to Introduce a Duty of Care for Products” 8 March 2020

[IISD](#) SDG Knowledge Hub: Leone F “ECOSOC and UNGA Presidents Provide [Guidelines](#) for Postponing, Scaling Down Meetings” 12 March 2020

[IISD](#) SDG Knowledge Hub: Leone F “Data Experts Say New Sources Must Not Replace Traditional Data” 12 March 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Ireland Faces Significant Challenges on Environmental SDGs: Social Justice Ireland” 12 March 2020

[Lexology](#): “EPA’s On-Site Civil Inspection Procedures [Rule](#) Intends to Promote Transparency and Fairness in Environmental Inspections” 10 March 2020

[Lexology](#): “Impact Assessment: A Reward Criterion in Public Procurement” 11 March 2020

[Lexology](#): “ESG and the construction industry” 11 March 2020

[Lexology](#): “Decommissioning: liability issues for industry and insurers when dealing with legacy sites” 11 March 2020

[Science](#): Brugger K “White House edits to EPA’s draft rule reveal tensions over ‘secret science’ push” 10 March 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date!

Date: 3-5 September 2020

Place: Gauteng

More information will follow

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 Zululand: 2020 MBALI International conference: Shifting global paradigms: Unleashing Africa's potential – save the date

Dates: 9-11 September 2020

Sub themes: Contemporary topics on Management, Business, Administrative and Legal initiatives

More information will follow

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Contact: Submissions via the landing page on the conference website.

Abstract submission extended to **20 March 2020**

Questions via the website or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

The call for papers and the registration for the 2020 Private Law and Social Justice Conference is open. This is the twelfth year that the conference will be held. Over the years we have welcomed conference delegates from all over the country. The programme will be made available on the website once the call for papers has closed.

You may find information regarding the call for papers and registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Call for abstracts

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

University of Johannesburg, SAIFAC and Animal Law Reform South Africa (ALRSA): Legal Evolution and the New Rights Revolution: Expanding the Sphere of Protection to Animals and the Environment

Date: 3 and 4 December 2020

Place: Johannesburg, South Africa

Abstracts (In Word document not more than 500 words) by 20 April 2020 to [Amy Wilson](#)

Full papers: 15 November 2020

SBE2020: Sustainable Built Environments – Call for submissions

Dates: 11-20 August 2020

Venue: Goudini Spa, Western Cape

More information on the [website](#) / SBE2020 Secretariat [Kruger & Associates](#) Tel: [+27 28 316 2905](#)

International

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

More [information](#)

IUCNAEL 2020 Colloquium: Workshop, Sponsored by the Research Committee of the IUCN Academy of Environmental Law

Date: 7 July 2020

Time: 10:00 - 12:00

For enquiries about this workshop please write to Professor [Afshin Akhtar-Khavari](#), QUT Law School, Brisbane, Australia: or [Katie Woolaston](#) [Flyer available from secretariat]

Loyola New Orleans College of Law two Master of Arts programs environmental law and health law

Both programs are residential (in-the-classroom) programs. The environmental program will be taught mainly by regular tenured faculty and, like our other environmental offerings, will incorporate place-based components, drawing from the natural, urban, and cultural surroundings of New Orleans. You can learn more on our [website](#)

Seventeenth (17th) Course, University of Eastern Finland – UN Environment Programme Course on Multilateral Environmental Agreements: The Post-2020 Biodiversity Agenda”

Dates: 17-27 August 2020

Place: Joensuu, Finland

Application deadline: 17 April 2020

Course website [here](#) or [here](#)

Contact address: [email](#) or [email](#)

Find us on [Facebook](#)

Follow us on Twitter: [@uef_unep_course](#) or [here](#)

WECLN research workshop on 'Private Actors and Climate Change' **Cancelled**

Planned for June 2020 in Italy
An online workshop is planned

Free Webinar IAEA's guide on air quality and impact assessment

Date: 26 March 2020

IAEA is hosting digital webinar that will take listeners through the guide, step-by-step. Participants will learn the basic steps required in any air quality impact assessment, as well as the warning signs of incomplete/unacceptable assessments. [Register](#)

VII Strathclyde Postgraduate Colloquium on Environmental Law and Governance

Date: 19 June 2020

Place: University of Strathclyde Law School

[Abstracts](#): 30 March 2020 (300 words)

[Queries](#)

Global Conference on Environmental Taxation - CleanTech Innovation Call for Papers

Date: 23-26 September 2020

Place: Calgary, Canada

The deadline for the [Call for Papers](#) is May 1, 2020. An early bird rate for [registration](#), opening soon, will be available until June 30, 2020.

The central theme of GCET21 is, although papers are also invited on a broad spectrum of topics on environmental taxation and market-based instruments. Selected papers will be published in [Critical Issues in Environmental Taxation](#).

If you have questions, please contact this year's Conference Chair, [Deborah Jarvie](#), at the Dhillon School of Business.

Post 2020 Local and Subnational Government Biodiversity Informational Webinar

Date: 26 March 2020

Register: [9:00 CET](#) / [14:00 CET](#)

New webinar series: Social innovation in energy transitions

Date: 31 March 2020

Time: 11:00 AM - 12:30 PM CEST

[Register](#)

NEWS

National

- Biodiversity, protected areas and culture**

Alfreds D "Illegal wildlife trade: Stern public warning after three arrested in North West" [News24](#) 10 March 2020

Silaule Y "Effective forest management strengthens resilience against climate-related natural disasters" [Engineering News](#) 13 March 2020

Cocks T “South Africa wildlife breeders rattled by new animal cruelty guidelines” [Reuters](#) 12 March 2020

- **Climate change and energy**

Litigation: Eskom wins important tariff battle with regulator

“The Gauteng High Court (Pretoria) has set aside the Eskom tariff decision for 2018/2019 made by the National Energy Regulator (Nersa) and berated the regulator for ‘unfairly, irrationally and unreasonably’ departing from methodology by which the tariff was determined. Business Day notes the judgment provides confirmation that the decisions of Nersa are reviewable, which could open the way for Eskom to challenge future price determinations. The case, heard by Judge Jody Kollapen, is one of three in which Eskom is challenging Nersa decisions. It does not have an immediate impact on electricity tariffs but as it opens the way for Eskom to make a supplementary tariff application for 2018/2019 it is likely to do so in the future. The court said that this application could be made after Nersa completes its deliberations on Eskom’s regulatory clearing account (RCA) application for 2018/2019 – a mechanism that allows Eskom to recover costs reasonably incurred over and above the costs allowed by Nersa in the initial price application – which is under consideration. The dispute refers back to 2018/2019 when Eskom requested a 18.91% average price increase and was granted only 5.23%. Kollapen accepted Eskom’s arguments that in the tariff application in question, Nersa had deviated from the methodology in important respects, without informing Eskom to allow it an opportunity to be heard. A second application is before the same court, in which Eskom is seeking to challenge Nersa’s treatment of the R69bn bailout it received from the Treasury in the 2019 budget. Nersa has claimed that this amounts to revenue in Eskom’s hands, which has the effect of reducing the amount that Eskom can claim from consumers through the tariff. A third application has also been made in which Eskom is challenging Nersa’s decisions on the RCA for 2015/2016 and 2016/2017.”

Full Business Day report (subscription needed) Legalbrief 11 March 2020

Paton C “DA wants tax rebates for household solar PV systems” [BusinessDay](#) 11 March 2020 [Legalbrief 12 March 2020]

Kings S “‘Ghost’ flights are yet another example of our polluting ways” [Mail & Guardian](#) 12 March 2020

Arnoldi M “SCA denies CTF appeal to have renewables agreements set aside” [Engineering News](#) 13 March 2020

- **Local government**

Labour: Municipalities warned to trim structures and wages

“The National Treasury has warned municipalities to address their bloated organisational structures and above-inflation wage increases, as local government employees’ salaries are expected to be R125bn of the total operational expenditure of R403.3bn. The Mercury reports Treasury’s warning comes as parties at the SA Local Government Bargaining Council (SALGBC): the SA Local Government Association, the SA Municipal Workers’ Union and Independent Municipal & Allied Trade Union agreed last week that employees would receive a 6.25% salary increase as from July. This is in terms of the agreement reached at the SALGBC in August 2018, and which is entering its final year. The pay hike will

take the minimum wage in the sector from R7 839 to R8 329. In terms of the agreement, municipal workers will receive a 6.25% adjustment for conditions of service or benefits, the home-owners' flat rate allowance will also increase from R907 to R964 while gap market employees or the non-pensionable allowance increases from R373 to R396. Municipalities' maximum contributions to accredited medical aids will increase from R4 492 to R4 773. Treasury says wage bill increases are crowding out spending on capital projects for future economic growth, and impacting service delivery."

Full report in The Mercury (subscription needed) Legalbrief 12 March 2020

"New city of Cape Town By Law now allows 3 houses on a single erf" [Property24](#) 12 March 2020

Mkhwanazi S "Municipalities warned on using unbudgeted funds while owing SOEs" [IOL](#) 14 March 2020

- **Mining**

Bulbulia T "Criminal raids on gold mines pose new threat to South African industry" [Mining Weekly](#) 13 March 2020

- **Water, oceans, waste and chemicals**

Ensor L "Speedier process for water-use licences on the way" [BusinessLive](#) 10 March 2020 [Legalbrief 11 March 2020]

Smit S "Court interdicts cancelling Hammanskraal wastewater contract" [Mail & Guardian](#) 10 March 2020

Legislation: Comment sought on scrap metal export tax proposals

"Comment is sought on a proposed scrap metal export tax of R1 000 per tonne for ferrous metals (including stainless steel); R3 000 per tonne for aluminium; R8 426 per tonne for red metals; and R1 000 per tonne for any other scrap metal/waste. According to a Treasury media statement announcing the move yesterday, technical workshops on submissions received will follow in anticipation of developing scrap metal export tax provisions for inclusion in the draft 2020 Taxation Laws Amendment Bill."

Read full report in Legalbrief Policy Watch 11 March 2020

Singh O "eThekweni city manager granted R50,000 bail over irregular tender" [TimesLive](#) 10 March 2020 [Legalbrief Forensic 12 March 2020]

Local government: Criminal charges over state of municipal water

"Deputy Water & Sanitation Minister David Mahlobo has laid criminal charges against the Victor Khanye Municipality in Delmas, Mpumalanga, in connection with the state of its water resources, Beeld reports. Mahlobo and a parliamentary delegation visited the town on Friday. Mahlobo, a trained biochemist, was reportedly appalled. He went to the police station to lay charges in terms of the National Water Act with regard to the contamination of local rivers and dams as a result of the municipality's faulty sewerage plants. Residents had earlier approached the Human Rights Commission with similar complaints. Mahlobo says the department had offered financial assistance to the municipality, but nothing came of the plans to improve the situation."

Full Beeld report (subscription needed) Legalbrief 10 March 2020

Odendaal N “Informal operating rules prevail in corrupt water sector, says corruption watchdog” [Engineering News](#) 12 March 2020

- **Miscellaneous**

Stent J “15% of SA’s wealth is in the hands of just 3,500 people, study finds” [GroundUp](#) 10 March 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“Sweden pulls plug on Ugandan carbon forestry project” [Carbon Pulse](#) 12 March 2020

Ofungi T “Uganda Wildlife Authority issues notice on rescheduling of tourism activities” [eTN](#) 12 March 2020

“Kenya: Rare White Giraffes Killed” [allAfrica](#) 10 March 2020

Edozie V “Nigeria: Fishing Threatened in Rivers State As Bandits Take Over Waterways” [allAfrica](#) 8 March 2020

Dalmases F di B “Here comes the sun canoe, as Amazonians take on Big Oil” [The Guardian](#) 13 March 2020

Evans K “‘We used to be leaders’: the collapse of New Zealand’s landmark ocean park” [The Guardian](#) 11 March 2020

Watts J “Ecosystems the size of Amazon ‘can collapse within decades’” [The Guardian](#) 10 March 2020

Evans K “How the world’s fattest parrot came back from the brink” [The Guardian](#) 14 March 2020

Cockburn H “Climate crisis: British seabird numbers decline by up to 70 per cent, due to more frequent storms and lack of food” [The Independent](#) 12 March 2020

- **Climate change and energy**

“Palm oil, soy boom to skyrocket global GHG emissions –report” [Carbon Pulse](#) 10 March 2020

Harrabin R “Climate change: UK ‘can’t go climate neutral before 2050’” [BBC](#) 10 March 2020

“UN approves six offset programmes, vintage restrictions for CORSIA aviation scheme” [Carbon Pulse](#) 13 March 2020

Ambrose J “Coronavirus poses threat to climate action, says watchdog” [The Guardian](#) 12 March 2020

Simon F “Six EU countries join call for 100% renewable energy scenario” [EURACTIV.com](#) 13 March 2020

Bega S “Political failure on climate change has ‘cost the world dearly’ – academics” [IOL](#) 12 March 2020 [provided by Andrew Gilder ClimateLegal]

“Washington LCFS, Clean Air Rule bills flounder on Senate opposition” [Carbon Pulse](#) 12 March 2020

“UK again eyeing carbon tax as post-Brexit alternative to trading scheme” [Carbon Pulse](#) 11 March 2020

Jacobsen S “Denmark should sharply increase carbon tax to meet emissions target: government adviser” [Reuters](#) 9 March 2020

Smith A “NSW to lead the country in reaching net zero emissions by 2050” [Sydney Morning Herald](#) 14 March 2020

Amelang S “German energy-intensive companies call for Europe-wide industry power price” [Energy Wire](#) 12 March 2020

Waldman S and Joselow M “Democrats eye climate policy in economic relief bill” [Climatewire](#) 12 March 2020

“Spain mulls aviation levy amid EU pressure to tax flights” [Carbon Pulse](#) 12 March 2020

Irving N “UN annual climate report shows 2019 was another record-breaking year” [New Atlas](#) 11 March 2020 – see also UN [statement](#)

Gillett T “Oregon governor signs executive order fighting climate change” [The Jurist](#) 11 March 2020

Morton A “Wind and solar plants will soon be cheaper than coal in all big markets around world, analysis finds” [The Guardian](#) 12 March 2020

Dalton J “Coronavirus causes air pollution over northern Italy to plummet as factories close and travel halted” [The Independent](#) 14 March 2020

Cockburn H “‘Worst case scenario’: Polar ice caps and Greenland ice sheet melting six times faster than in 1990s” [The Independent](#) 12 March 2020

Cockburn H “Climate crisis: Most Europeans would support permanent ban on short-distance flights, EU survey reveals” [The Independent](#) 11 March 2020

Hiller J “Crossing state lines? Oil firms flare Texas gas as investors vent on climate” [Reuters](#) 12 March 2020

- **Local government**

“Fukushima hotspots make headlines before Olympics - but what's the risk?” [Traveller24](#) 9 March 2020

Carrington D “Road to hell: budget tarmacs over climate ambition” [The Guardian](#) 12 March 2020

“Discarded coronavirus masks clutter Hong Kong's beaches, trails” [Reuters](#) 12 March 2020

- **Mining**

Stein J *et al* “White House likely to pursue federal aid for shale companies hit by oil shock, coronavirus downturn” [Washington Post](#) 10 March 2020

- **Water, waste, oceans and chemicals**

“Opatija Declaration will provide guidelines for the development of EU maritime policy by 2030” [Euro2020HR](#) 11 March 2020

Egypt and Nile crisis

“The New York Times *reports that ‘the fabled river at the heart of Egypt’s very identity’ is under assault* from pollution, climate change and Egypt’s growing population, which officially hits 100m people this month. The dam being built on the Nile 3 200km upriver, in the lowlands of Ethiopia, threatens to further constrict Egypt’s water supply and is scheduled to start filling in July. The dispute between the two countries over the Grand Ethiopian Renaissance Dam – Africa’s largest, with a reservoir about the size of London – has become a national preoccupation in both countries, stoking patriotism, deep-seated fears and even concerns of war. To Ethiopians, the dam has the potential to light up millions of homes, earn billions from electricity sales to neighbouring countries and confirm Ethiopia’s place as a rising African power. That prospect induces dread in Egypt, where the dam is seen as the most fundamental of threats. ‘The Nile is a question of life, a matter of existence to Egypt,’ said President Abdel Fattah el-Sisi. For eight years, officials from Egypt, Ethiopia and Sudan – which lies between the two countries – have tried to resolve their differences.”

Full report in The New York Times IBA Legalbrief 9 March 2020 – read also [BBC](#) report

“Marine pollution: Russian fly spray and 1800s shoes among beach litter” [BBC](#) 13 March 2020

Carrington D “Revealed: Monsanto’s secret funding for weedkiller studies” [The Guardian](#) 12 March 2020

“Bayer inches toward glyphosate settlement: WSJ” [Reuters](#) 13 March 2020

- **Miscellaneous**

Zubizarreta T “An Open Letter to the Legal Community on COVID-19: What are we doing?” [The Jurist](#) 12 March 2020

Wast G “Netherlands king apologizes for colonial violence in Indonesia” [The Jurist](#) 12 March 2020

Ortner D “States Should Not Adopt a Speech Code for Lawyers” [The Jurist](#) 10 March 2020

Philips D “Climate crisis blamed for rains and floods that have killed 150 in Brazil” [The Guardian](#) 13 March 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

Law admin internships Johannesburg

More [information](#)

International Federation of Red Cross (IFRC): Disaster Law Senior Officer

More [information](#)

The Water Research, Development, and Innovation (RDI) Roadmap Postgraduate Student Support Call

The Water RDI Roadmap Implementation Unit provides funding to support postgraduate students that are aligned the priority themes/clusters of the Water RDI Roadmap.

This particular call focuses on supporting postgraduate students that are exploring topics broadly related to the nexus between water and ecosystems/ecological infrastructure.

We invite WRC Projects Leaders to apply on behalf of postgraduate students who they would like to link to their active WRC projects.

Selected students will be supported from the 2020 calendar year.

Follow this [link](#) for the online application form.

Closing date for applications: Friday, 20 March 2020.

International

Policy Intern, European Roundtable on Climate Change and Sustainable Transition (ERCST) – Brussels

More [information](#)

Senior Consultant, Ndevr Environmental – Sydney

More [information](#)

Land-Use Law Research Positions at UC Berkeley

Qualification: JD or PhD

Full-time [position](#)

Part-time [position](#)

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

20 March 2020

2019-2020 STUDENT ESSAY COMPETITION

Submission date **Extended to 30 April 2020**

The ELA Essay Competition is open to any student who is enrolled at a South African higher education institution (including undergraduate and postgraduate programs) or was enrolled in the year prior to submission, but has since completed his/her studies. Evidence of enrolment as a student must be submitted along with the essay. For the purposes of this Essay Competition, a 'South African higher education institution' is such an institution as defined in the Higher Education Act 101 of 1997. Submissions will be considered in two categories: (i) under graduate students and (ii) post-graduate students.

More [information](#)

In this time of Covid-19 we would like to wish you and your dear ones well. All over the world associations are cancelling conferences, workshops etc.

We would like to keep in touch, finding new ways to keep in contact and we shall update you soon in this regard.

In the meantime, keep in contact via our Newsletter, Website and Facebook.

BILLS

Draft Municipal Fiscal Powers and Functions Amendment Bill published in Gen Notice 3 in GG 42939 of 3 January 2020 - GN 316 in [GG](#) 43099 of 17 March 2020 - extended date to comment

NOTICES

National Environmental Management Act 107 of 1998 - GN 320 in [GG](#) 43110 of 20 March 2020 - Procedures for the Assessment and Minimum Criteria for Reporting on Identified Environmental Themes in terms of ss. 24 (5) (a) and (h) and 44 of the Act when applying for Environmental Authorisation published with effect from 50 days after publication

National Railway Safety Regulator Act 16 of 2002 - GN 347 in GG 43110 of 20 March 2020 - Railway Safety Regulator: Determination on Verbal Safety-Critical Communication Protocol

Disaster Management Act 57 of 2002 - GN 312 in [GG](#) 43096 of 15 March 2020 - Classification of COVID-19 pandemic as a national disaster

Disaster Management Act 57 of 2002 - GN 313 in GG 43096 of 15 March 2020 - Declaration of a national state of disaster

Disaster Management Act 57 of 2002 - GN 318 in [GG](#) 43107 of 18 March 2020 - Regulations regarding the steps necessary to prevent an escalation of the disaster or to alleviate, contain and minimise the effects of the disaster published in terms of s. 27(2)

International Trade Administration Act 71 of 2002 – Gen Notice 192 in GG 43123 of 20 March 2020 - International Trade Administration Commission of South Africa: Extension of the Policy Directive on the Exportation of Ferrous and Non-Ferrous Waste and Scrap Metal from 31 March 2020 to 31 December 2020

National Environmental Management: Protected Areas Act 57 of 2003 - GN 321 in [GG](#) 43110 of 20 March 2020 - Draft amendments to certain regulations governing various Marine Protected Areas - for comment

National Ports Act 12 of 2005 – Gen Notice 173 in [GG](#) 43103 of 18 March 2020 - National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020

Airports Company Act 44 of 1993 – Gen Notice 175 in [GG](#) 43105 of 18 March 2020 - Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020

Air Traffic and Navigation Services Company Act 45 of 1993 - Gen Notice 175 in GG 43105 of 18 March 2020 - Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published) (p11)

International Air Services Act 60 of 1993 – Gen Notice 175 in GG 43105 of 18 March 2020 - International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020

Constitution of the Republic of South Africa, 1996 & Superior Courts Act 10 of 2013 – Gen notice N 187 in [GG](#) 43117 of 20 March 2020 - Directives issued by the Chief Justice

Amended Directive - COVID 19 - Gauteng Division of the High Court of South Africa [2020] [ZARC](#) 5 (18 March 2020)

Measures Adopted by the Heads of Court to Curb the Spread of COVID-19 in All Courts - Directive Issued by Chief Justice Mogoeng Mogoeng [2020] [ZARC](#) 4 (17 March 2020)

Civil Aviation Act 13 of 2009 – Gen Notice 175 in GG 43105 of 18 March 2020 - Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020

Taxation Laws Amendment Act 17 of 2009 - GN 326 in GG 43110 of 20 March 2020 - Allocations to Metropolitan Municipalities of General Fuel Levy Revenue

PROVINCES

Eastern Cape

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 81 in PG 4400 of 16 March 2020 - Buffalo City Metropolitan Municipality- Draft Local Spatial Development Framework for Settlersway – for comment

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 82 in PG 4400 of 16 March 2020 - Buffalo City Metropolitan Municipality - Draft Municipal Spatial Development Framework – for comment

Disaster Management Act 57 of 2002 - LAN 83 in PG 4400 of 16 March 2020 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions for a further month

Gauteng

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 286 in PG 68 of 18 March 2020 - Mogale City Local Municipality - Land Use Scheme 2019 finalisation

Western Cape

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – LAN 20123 in PG 8220 of 13 March 2020 - Tweewaterskloof Local Municipality - Appointment of persons and designation of officials to serve as members of the Municipal Planning Tribunal

Local Government: Municipal Systems Act 32 of 2000 - LAN 20127 in PG 8220 of 13 March 2020 - Matzikama Local Municipality: Amendment to the Spatial Development Framework, 2014 – for comment

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20128 in PG 8220 of 13 March 2020 - Drakenstein Local Municipality - Building Control By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20129 in PG 8220 of 13 March 2020 - Drakenstein Local Municipality - Problem Premises By-law: 2020

Mpumalanga

Spatial Planning and Land Use Management Act 16 of 2013 - Proc 22 in PG 3143 of 20 March 2020 - Emalahleni Local Municipality - Land Use Scheme, 2020

GUIDELINES / DOCUMENTS TO COMMENT

SABAA Draft Bat revised guidelines - for comment by 17 April 2020 17:00 – comments to be emailed to both info@sabaa.org.za and chair@sabaa.org.za

- [South African Best Practice Guidelines for Pre-construction Monitoring of Bats at Wind Energy Facilities](#): 5th Edition
- 2. [South African Good Practice Guidelines for Operational Monitoring for Bats at Wind Energy Facilities: 2nd Edition.](#)
- 3. [South African Bat Fatality Threshold Guidelines: 3rd Edition](#)

[NERSA](#): Concurrence with the Ministerial Determination on the procurement of new generation capacity from the range of energy technologies – for comment by 14 April 2020

[NERSA](#): Concurrence with the Ministerial Determination on the procurement of new generation capacity from Renewables, Storage, Gas and Coal technologies – comments by 7 May 2020

CASES

National

Aquarius Platinum (SA) (Pty) v Bonene and Others (1177/2018) [2020] [ZASCA](#) 7 (16 March 2020)

Summary: Land – eviction under Extension of Security of Tenure Act 62 of 1997 (ESTA) – ESTA requires two consecutive steps to be taken before an eviction order may be granted – first, the right of residence of an occupier must be terminated in terms of s 8 – thereafter, a notice of intention to obtain eviction order must be given to the occupier in terms of s 9 – failure to allege and prove termination of right of residence fatal to application for eviction.

KwaDukuza Municipality v Lahaf (Pty) Ltd (940/18) [2020] [ZASCA](#) 9 (18 March 2020)

Summary: Interpretation of a town planning scheme which applies exclusively to Lifestyle Centre, Ballito – meaning of the phrase 'the total gross lettable area (GLA) of the Property' – starting point is the language of the zoning provision which must be construed in the light of its context, the apparent purpose to which it is directed and material known to those responsible for its production.

PUBLICATIONS

National

Thompson LJ and Blackmore AC “A brief review of the legal protection of vultures in South Africa” 2020 6 *Ostrich* 1-2 <https://doi.org/10.2989/00306525.2019.1674938>

GroundWork, Friends of Earth South Africa Centre for Environmental Rights and EarthLife Africa JHB “Down to Zero: The politics of just transition” ([Report](#) 2019)

International

Craig RK "Water Law and Climate Change in the United States: A Review of the Legal Scholarship" 2020 [WIREs Water](#) <https://doi.org/10.1002/wat2.1423>

Steiner R *Oasis Earth: Planet in Peril* (2020) Free [download](#)

Etcheverry Juan B “An Approach to Legal Principles Based on Their Justifying Function” 2019 32(2) *Canadian Law & Jurisprudence* 321-342 DOI: <https://doi.org/10.1017/cjlj.2019.18> (open access)

Ellis Jaye “Crisis, Resilience, and the Time of Law” 2019 32(2) *Canadian Law & Jurisprudence* 305-320 DOI: <https://doi.org/10.1017/cjlj.2019.18> (open access)

Foran Michael P “The rule of good law: form, substance and fundamental rights” 2019 78(3) *The Cambridge Law Journal* 570-595 DOI: <https://doi.org/10.1017/S0008197319000618> (open access)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, national parks, animal rights and culture**

[The Conversation](#): Rush N “Lessons from Africa on how to build resilient bee colonies” 19 March 2020

- **Climate change and energy**

[City Press](#): Masondo S and Khumalo J “How Eskom was fleeced: Kusile and Medupi tenders ballooned from R200m to more than R20bn” 15 March 2020

[Mail & Guardian](#): Kings S “Covid-19 comes at a big cost to limiting climate change” 19 March 2020

[Webber Wentzel](#): Van der Poel J *et al* “NERSA Invitations to comment on the concurrence with two Ministerial Determinations for the procurement of new energy generation capacity” 20 March 2020

[DEAFF](#): Speech delivered by Minister B Creecy during a Parliament debate on climate change - Parliament of the Republic of South Africa, Cape Town, Western Cape Province 11 March 2020 [provided by Andrew Gilder ClimateLegal]

[The Conversation](#): Winkler H “Global emissions are way off target: what needs to happen” 15 March 2020

- **Mining**

[Mining Weekly](#): Bischof-Niemz “Opinion: Could coal miners be incentivised to support the transition to renewables?” 20 March 2020

[Mining Weekly](#): “Unpacking green energy in mining” 19 March 2020

[Mining Weekly](#): “From using drones to stockpiling cyanide, miners keep digging amid pandemic” 18 March 2020

- **Miscellaneous**

[Webber Wentzel](#): Rapson Garyn and Novotny Paula-Ann “Environmental emergencies as a consequence of COVID-19” 19 March 2020

[Engineering News](#): Slater D “Moves afoot to 'futureproof' South Africa's drones regulations” 20 March 2020

Africa

- **Biodiversity, protected areas and culture**

[The Guardian](#): Ahmed K “Locust crisis poses a danger to millions, forecasters warn” 20 March 2020

[The Conversation](#): Hartbauer M “What we found when we tested a botanical pesticide to combat locust invasions” 16 March 2020

- **Mining**

[Lexology](#): “Overview and outlook: mining law in Burkina Faso” 9 October 2019

- **Water, waste, oceans and chemicals**

[Daily Maverick](#): Fabricius P “SA advised to cancel its commitment to giant DRC hydroelectric power project, says new report” 20 March 2020

[allAfrica](#): “African Governments Failing in Provision of Water and Sanitation, Majority of Citizens Say (Afrobarometer)” 18 March 2020

[allAfrica](#): Jacob M “Tanzania Officials Keen On Mara River Water Allocation Plan” 20 March 2020

[The Conversation](#): Asante-Wusu I “Why local solutions are best for urban water supply in Ghana” 16 March 2020

[The Conversation](#): Schoeman AL “The African clawed frog can be found on five continents. And it doesn't travel alone” 15 March 2020

- **Miscellaneous**

[allAfrica](#): Francis N “Nigeria, South Africa, Ethiopia, Congo Account for 50% Illicit Financial Flows in Africa” 15 March 2020 [Legalbrief Forensic 19 March 2020]

[Mail & Guardian](#): Cheeseman N “Why courts can't save democracy in Africa” 19 March 2020

[Reuters](#): “Kenya's High Court holds open air hearings to slow spread of coronavirus” 20 March 2020

[Science](#): Nordling L “‘A ticking time bomb’: Scientists worry about coronavirus spread in Africa” 15 March 2020

International

- **Biodiversity, national parks and culture**

[Science](#): Walls M, Lee P and Ashenford M “National monuments and economic growth in the American West” 18 March 2020

[News24](#): “Sharks Are Evolving to Walk on Land” 17 March 2020

[The Guardian](#): Cassey B “‘The forest is everything’: indigenous tribes in India battle to save their home from Adani – in pictures” 20 March 2020

[The Guardian](#): Barkham P “Norfolk road report rewritten to remove warning of risk to bats” 20 March 2020

[The Conversation](#): Berggren P and Temple A “We’ve just discovered two new shark species – but they may already be threatened by fishing” 18 March 2020

[Science](#): Kintisch E “Why did nearly a million king penguins vanish without a trace?” 19 March 2020

[Science](#): Frank T “U.S. wildfires plummeted in 2019. Experts say it won’t last” 18 March 2020

[IISD](#) SDG Knowledge Hub: Mwangi W “SDG Advocates Hold Seed Summit Linking Food Security with Seed Diversity” 19 March 2020

[IISD](#) SDG Knowledge Hub: Andersen L “Modalities for Biodiversity Summit Transmitted under Silence Procedure” 17 March 2020

- **Climate change and energy**

Florence School of Regulation [Podcast](#): EU Commissioner Kadri Simson “How will policy & innovation drive the Green Deal? on Net Zero” March 2020

[Reuters](#) “EU Green Deal “not over” despite coronavirus, industry commissioner says” 19 March 2020

[Science](#): Waldman S “Prominent U.S. climate denial group fires president amid financial crisis” 17 March 2020

[Edie](#): “Heavy-emitting firms ‘off-track’ to deliver low-carbon world” 20 March 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Project17 [Report](#) Recommends Increased Collaboration between Tech Companies, Gender Equality Groups” 19 March 2020

[Lexology](#): “Net zero emissions by 2050 - new consultation on the proposed EU Climate Law” 17 March 2020

Loyola University’s Climate Change conference on 6 May 2019 Dr. Virginia Burkett’s presentation on climate change [here](#)

- **Water, oceans, waste and chemicals**

[The Guardian](#): Peyre-Costa T “‘We have no options’: how water scarcity is changing south Iraq” 19 March 2020

[Esri](#): Lessons from One River, One Future: Columbia river Transboundary Conference, Kimberley, British Columbia, September 2019.

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Assesses Links between Chemicals and Waste Management and Other Issues” 19 March 2020

[Lexology](#): “EPA Finalizes TSCA CDR R” 18 March 2020

[Lexology](#): “New law on integral waste management and promotion of recycling” 17 March 2020

[Lexology](#): “European Commission Proposes New Framework to Mainstream Circularity” 18 March 2020

[IISD](#) SDG Knowledge Hub: Hestad D “Report Evaluates Tuvalu’s Progress towards Improving Waste Management” 17 March 2020

[IISD](#) SDG Knowledge Hub: Mead L “Alliance Calls for Declaration on Strengthening SAICM Beyond 2020” 17 March 2020

[IISD](#) SDG Knowledge Hub: Mead L “Future Policy Award 2020 Focuses on Protection from Hazardous Chemicals” 17 March 2020

- **Miscellaneous**

Conference Proceedings [Videos](#): “The Environmental Protection Agency Turns 50” Conference of 18 October 2019

[Congressional](#) Convening on Environmental Justice - Dr. Bullard’s 2019

[New York Academy of Science](#): Osterholm Michael and Julie Gerberding “What You Need to Know About the New Coronavirus” 13 March 2020

[New York Times](#): Popovich N “Watch the Footprint of Coronavirus Spread Across Countries” 17 March 2020

[The Guardian](#): Ahmed K “World’s most vulnerable in ‘third wave’ for Covid-19 support, experts warn” 20 March 2020

[Engineering Weekly](#): “Gin makers bottle hand sanitiser for vulnerable as coronavirus spreads” 20 March 2020

[IISD](#) SDG Knowledge Hub: Leone F “COVID-19 Pandemic Disrupts UN Meeting Plans Around the World” 19 March 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNECE Releases Statistical [Portrait](#) of Region’s SDG Progress” 19 March 2020

[IISD](#) SDG Knowledge Hub: Mead L “OECD Interim Outlook Discusses Coronavirus Impacts on Global Economy” 19 March 2020

[Lexology](#): “Green bonds to continue to exceed expectations in 2020” 17 March 2020

[Lexology](#): “COVID-19 - Plan now to manage environmental compliance during the crisis” 18 March 2020

[Lexology](#): “A pause in corporate governance? The impact of the Coronavirus on gatherings and shareholders’ meetings” 16 March 2020

[IISD](#) SDG Knowledge Hub: Mead L “UNECE Launches Data Dashboard for 80 SDG Indicators” 17 March 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “ILO Reports on Growing Number of Unemployed, Uneducated Youth” 17 March 2020

[IISD](#) SDG Knowledge Hub: Fishman A “Large Companies Not Reporting on Risk-related SDGs: Trucost [Report](#)” 17 March 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date!

Date: 3-5 September 2020

Place: Gauteng

More information will follow – applying the precautionary principle, the conference will only proceed if Covid-19 measures are no longer in place

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](#) **Postponed until August**
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020 **Postponed until August**
- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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 Zululand: 2020 MBALI International conference: Shifting global paradigms: Unleashing Africa's potential – save the date

Dates: 9-11 September 2020

Sub themes: Contemporary topics on Management, Business, Administrative and Legal initiatives

More information will follow

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Contact: Submissions via the landing page on the conference website.

Questions via the website or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

The call for papers and the registration for the 2020 Private Law and Social Justice Conference is open. This is the twelfth year that the conference will be held. Over the years we have welcomed conference delegates from all over the country. The programme will be made available on the website once the call for papers has closed.

You may find information regarding the call for papers and registration for the conference on the [Private Law and Social Justice Conference webpage](#).
[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Call for abstracts

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

University of Johannesburg, SAIFAC and Animal Law Reform South Africa (ALRSA): Legal Evolution and the New Rights Revolution: Expanding the Sphere of Protection to Animals and the Environment

Date: 3 and 4 December 2020

Place: Johannesburg, South Africa

Abstracts (In Word document not more than 500 words) by 20 April 2020 to [Amy Wilson](#)

Full papers: 15 November 2020

SBE2020: Sustainable Built Environments – Call for submissions

Dates: 11-20 August 2020

Venue: Goudini Spa, Western Cape

More information on the [website](#) / SBE2020 Secretariat [Kruger & Associates](#) Tel: [+27 28 316 2905](#)

Technical Talk on the Land Rehabilitation Guidelines for Surface Coal Mines

Presenters: Dr Mark Aken and Dr Phil Tanner

Date: 24 March 2020

Venue: Kriel Golf Club Mpumalanga

Time: 09:00-13:00

To register, follow the link [by clicking here](#).

Groundtruth SASS5 Course Postponed until further notice

Dates: 4 – 7 May 2020

Please visit our [website](#)

International

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

More [information](#)

IUCNAEL 2020 Colloquium: Workshop, Sponsored by the Research Committee of the IUCN Academy of Environmental Law

Date: 7 July 2020

Time: 10:00 - 12:00

For enquiries about this workshop please write to Professor [Afshin Akhtar-Khavari](#), QUT Law School, Brisbane, Australia: or [Katie Woolaston](#) [Flyer available from secretariat]

Enhanced Weathering Webinar

Date: 24 March 2020

Registration closes at 11:59 pm EDT on March 23st.

Details to access the webinar room will be sent to registered participant shortly before the webinar is held. All webinars are archived here on the Institute's website<<http://www.carbonremoval.info>> as well as on the Institute's YouTube channel about a week after the webinar is conducted. An announcement will be posted on the Institute's Facebook and Twitter when the recording becomes available.

For questions about this webinar or the Institute's other activities, please email [Annelise Straw](#) or at this [email](#) address.

[Registration](#)

IAIA Free webinar: Air quality impact assessments

Date: Thursday, 26 March 2020

Time: 10:00 AM - 11:00 AM US CST

[Registration](#)

New York Academy of Science: The Future of Energy Storage

Date: Monday, 23 March 2020

Time: 11:30 AM - 12:45 PM EDT

[Registration](#)

IAIA20 Seville Conference – postponed

The safety of our delegates, speakers, staff, everyone involved in delivering our annual conference, and the people of Seville is our number one concern. After careful deliberation, the IAIA Board made the difficult decision to postpone the IAIA20 conference to May 2021. Exact dates will be announced shortly.

For more on the decision, please read a [message](#) from IAIA Executive Director, David Bancroft.

Frankfurt School - UNEP Collaborating Centre for Climate & Sustainable Energy Finance: Green and sustainable finance online programs in English or German

- [The Certified Expert in Sustainable Finance \(CESFi\)](#)
- [The Certified Expert in Climate & Renewable Energy Finance \(CECRF\)](#)
- [The Certified Expert in Climate and Adaption Finance \(CECAF\)](#)

The flexible part-time training concept is implemented through the training platform of Frankfurt School's Sustainable World [Academy](#). After successful completion of one of the accredited 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 31 March 2020.

Find out more about the Centre's activities, research and project at the new [FS-UNEP Centre webpage](#).

NEWS

National

- **Biodiversity, protected areas and culture**

Ndlangamandla M “Small-scale fisheries key to economic growth” [City Press](#) 19 March 2020

Alfreds D “SPCA fights parrot breeder's court bid, says it's 'bereft of any moral fibre’” [News24](#) 19 March 2020

Marine: Fisheries crime a form of state capture – prosecutor

“Fisheries crime is organised crime and a form of state capture. According to a report in The Herald, that is the view of prosecutor Martin le Roux, who was speaking at the second FishForce Dialogue at Nelson Mandela University last week. Le Roux, who achieved a breakthrough when he successfully prosecuted abalone kingpins Morne Blignault in 2018 and Julian Brown last year, said the Prevention of Organised Crime Act, which underpinned the two cases, gave law enforcement agencies ample muscle to act. ‘It provides them with the tool to do exactly what the Act says. The challenge is to cultivate the skill and, to a degree, the political will to equip these agencies with competent people for the task.’ The success of these two trials had so far not resulted in the same approach being used to prosecute other fisheries crimes, however, and this needed to change, he said. ‘All police and fisheries enforcement agencies should be required to apply an organised crime lens in collecting evidence, and to train and equip officers accordingly,’ he said. Per Erik Bergh, founder of Stop Illegal Fishing and the FISH-i Africa task force, said the ‘blue economy’, hailed as the new frontier of the African renaissance by the African Union, was presently failing. ‘Political pressure on public servants to make more money on fisheries results in flagging and licensing of vessels without any due diligence, increasing risks related to illegal fishing and fisheries crimes,’ he noted.”

Full report in The Herald (subscription needed) Legalbrief Environmental 17 March 2020

- **Climate change and energy**

Harper P “Durban smokestacks back in court” [Mail & Guardian](#) 19 March 2020

Energy: Red tape blocking emergency power production

“The short-term emergency measures to procure more electricity generation capacity that President Cyril Ramaphosa promised last December have become ensnarled in red tape. A Business Day report says the latest roadblock is the National Energy Regulator (Nersa), which must ‘concur’ with a determination under the Electricity Regulation Act issued by Minerals & Energy Minister Gwede Mantashe before the procurement can begin. Nersa said that it would take another three months for it to be in a position to concur on short-term measures outlined in the first determination and another six before it could concur on a second determination for a range of technologies from independent power producers. This was because it had to allow for a public participation process before it could concur. Once this has happened, the department can issue a request for proposals, which in a competitive process typically takes six months. Successful

projects usually take as long as a year to achieve financial close, which requires all contracting with Eskom to be done before financing can be secured. Industry sources say that a likely scenario then is that construction will begin in 2022.”

Full Business Day report (subscription needed) Legalbrief 20 March 2020

- **Local government**

- Legislation: Cape Town draft coastal by-law nearly complete**

“Cape Town has received 600 submissions from civic organisations, ratepayer associations, ordinary residents and other homeowner associations and entities on its proposed draft coastal by-law, notes a Cape Argus report. The by-law raised a robust debate over being anti-poor and giving the City more power over coastal facilities, including beaches, pools, promenades, showers, toilets, pavilions and tidal pools. It states that the City may regulate the number of people entering and using a coastal facility. The public participation process ran from 1 August 1 to 2 September. A significant number of submissions received comments on the state of Cape Town’s beaches and that maintenance of beach ancillary infrastructure could be improved. The full report will go to council for full consideration at the end of the month.”

Full Cape Argus report (subscription needed) [Legalbrief Environmental 17 March 2020]

- **Water, oceans, waste and chemicals**

Chiguvare B “Limpopo villagers fear shopping mall will take their water” [GroundUp](#) 20 March 2020

“Gauteng residents urged to use water sparingly as Vaal Dam level drops again” [Citizen](#) 12 March 2020 [Legalbrief Environmental 17 March 2020]

- **Miscellaneous**

Rabkin F “Constitutional rights during disaster” [Mail & Guardian](#) 19 March 2020

“Landmark ruling for science journalists” [GroundUp](#) 20 March 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“Pangolin sales plunge in Gabon over coronavirus fears” [News24](#) 17 March 2020

Maas C “Boat restrictions implemented near Boston to protect whales” [The Jurist](#) 18 March 2020

Cameron L “Oyster and whale projects among those to secure £1.33 million lottery funding” [The Independent](#) 20 March 2020

Sullivan R “Population of critically endangered African black rhino 'slowly increasing'” [The Independent](#) 19 March 2020

Boyle L “Coronavirus: US national parks remain open amid outbreak causing health concerns for staff” [The Independent](#) 19 March 2020

Brunton J “‘Nature is taking back Venice’: wildlife returns to tourist-free city” [The Guardian](#) 20 March 2020

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"USFWS Makes Another Move to Exclude Incidental Take from the Migratory Bird Treaty Act" [Lexology](#) 17 March 2020

- **Climate change and energy**

"Death toll from Nigerian gas explosion rises to 21" [IOL](#) 19 March 2020

"Oil slumps to near 18-year low under \$25 on Saudi output threats" [IOL](#) 18 March 2020

Boyle L "'Dead on arrival': Environmentalists react as US panel approves pipeline, natural gas terminal in Oregon" [The Independent](#) 19 March 2020

Ng K "Coronavirus: Air pollution and CO2 fall rapidly as virus spreads" [The Independent](#) 19 March 2020

Boyle L "Coronavirus could cut emissions this year but spell worse news for the climate crisis" [The Independent](#) 17 March 2020

Ambrose J "Planning applications for UK clean energy projects hit new high" [The Guardian](#) 16 March 2020

Barteczko A "EU should scrap emissions trading scheme, Polish official says" [Reuters](#) 17 March 2020

"China's greenhouse emissions rise 2.6% in 2019: research group" [Reuters](#) 18 March 2020

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"China's rethink on car pollution could signal retreat on climate" [StraitsTimes](#) 19 March 2020

Dennison M "Lawsuit seeks to rewrite Montana energy policy" [8KPax](#) 19 March 2020

Larson E "Exxon Loses Jurisdiction Fight in Massachusetts Climate Suit" [Bloomberg Green](#) 17 March 2020

"Greenpeace Poland sues largest carbon emitter in the country" [Green Peace](#) 11 March 2020

"Lessons from Using Results-Based Financing to Upgrade a Power Grid" [Development Asia](#) March 2020

- **Local government**

Dalton J "Coronavirus causes air pollution over northern Italy to plummet as factories close and travel halted" [The Independent](#) 16 March 2020

“Failure to Include A No-Build Analysis in Project Description Does Not Violate CEQA” [Lexology](#) 17 March 2020

- **Mining**

“Peru miners halt operations to slow coronavirus spread; Chile braces for impact” [Reuters](#) 18 March 2020

Nogueira M “Oil collapse could lop 20% off exploration budgets in Brazil, consultancy says” [Reuters](#) 17 March 2020

Amelang S “German government postpones hydrogen strategy, coal exit hearing” [Clean Energy Wire](#) 18 March 2020

- **Water, waste, oceans and chemicals**

Boyle L “Stop flushing disinfecting wipes and toilet paper ‘alternatives’ - the sewers are clogging up, authorities say” [The Independent](#) 20 March 2020

Ng K “Coronavirus: Water firms issue blockage warning as people use toilet paper ‘alternatives’” [The Independent](#) 19 March 2020

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Milman O “Greenland's melting ice raised global sea level by 2.2mm in two months” [The Guardian](#) 20 March 2020

Ambrose J “Sellafield nuclear waste site to close due to coronavirus” [The Guardian](#) 18 March 2020

“Welsh government plans to ban single-use plastics from next year” [The Guardian](#) 18 March 2020

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Malo S “In Brief: Enviro sue over EPA's 'black box' toxic chemicals approval process” [Reuters](#) 19 March 2020

“Trump refused permission to build wall at Irish seaside golf course” [Reuters](#) 18 March 2020

“Chemical Safety Board Issues Final Rule for Accidental Release Reporting” [Lexology](#) 17 March 2020

- **Miscellaneous**

Boyle L “‘We should start thinking about the next one’: Coronavirus is just the first of many pandemics to come, environmentalists warn” [The Independent](#) 20 March 2020

Lakhani N “Mexico's deadly toll of environment and land defenders catalogued in report” [The Guardian](#) 20 March 2020

“DOJ Ends Use of SEPs in Resolving Violations of Environmental Law” [Lexology](#) 17 March 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

Nelson Mandela University Faculty of Law: Vacancies

- Department of Criminal and Procedural Law: Associate Professor / Senior Lecturer (Post 4415)
- Department of Mercantile Law: Professor / Associate Professor / Senior Lecturer (Post 4420)
- Department of Public Law: Associate Professor / Senior Lecturer (Post 4823)
- Executive Secretary: Law (Post 5122)

For specific details on each of these vacancies, visit [here](#)

South African Reserve Bank Graduate Development Programme

Closing date: 30 April 2020

More [information](#)

Varsity College School of Law Waterfall campus – Lecturer

Closing date: 27 March 2020

More [information](#)

University of the Western Cape: Senior lecturer (x2) Mercantile law and labour law

Closing date: 29 March 2020

More [information](#)

University of Cape Town: Junior Research Fellow: Mine Dust Research

More [information](#)

Rhodes University: Lecturer Law of Property / Introduction to law

Closing date: 30 March 2020

More [information](#)

Vodacom Executive Head of Department - Public Policy

More [information](#)

International

Cross-continental Security Cooperation: EU-Africa Relations in a World of Thriving Non-traditional Security Challenges” | Fellowship- and Scholarship-Program for African Scientists

For more information, see [webpage](#)

The [School of Transnational Governance and the Fondazione Cassa di Risparmio di Firenze](#) offer a number of scholarships for African students interested in the STG's [Master-of-Arts in Transnational Governance](#), thus aiming at promoting exchanges between Africa and Europe.

The Master is a two-year programme starting in 2020. Applications are currently open and interested candidates from the African continent meeting the programme's requirements are welcome to apply following the Master's regular [application guidelines](#).

UNDP - Programme Manager - ACP-EU Development Minerals Program

Closing date: 30 March 2020

Submit an application [here](#)

Find out more here: <http://developmentminerals.org>

Wageningen University Netherlands

[Assistant Professor of Plant Ecology and Nature Conservation](#)

University of Leeds School of Earth and Environment United Kingdom

[Research Fellow in Energy and Macroeconomics](#)

University of Helsinki Finland

[Lecturer in Environmental and Resource Economics](#)

Stockholm University Department of Environmental Science Sweden

[Postdoctoral Fellow in Environmental Chemistry](#)

Cornell University United States

[Postdoctoral Associate on Wind Turbine Wakes](#)

Dublin City University School of Law and Government Ireland

[Assistant Professor in Law](#)

Dublin City University School of Law and Government Ireland

[Assistant Professor of Environmental Policy and Politics](#)

University of Pittsburgh United States

[Faculty Instructor Adjunct in Criminal Justice](#)

University of Amsterdam Institute for Environmental Studies Netherlands

[PhD Position in Environmental Studies](#)

Prince Mohammad Bin Fahd University

[Assistant / Associate / Full Professor of Law](#)

Singapore Management University

[Adjunct Faculty in Big Questions: Global and Local](#)

Ohio State University

[Post Doctoral Scholar in Comparative Studies](#)

Columbia University New York

[Postdoctoral Research Scholar / Associate Research Scholar in Law](#)

University applications invited: *Annual ELA Environmental Law Excellence Prize for Top Academic Performance in Undergraduate LLB Environmental Law Module*

Faculties and Schools of Law in South Africa are invited to apply to the ELA for financial support towards an annual prize for the top academic achiever in the undergraduate (LLB) environmental law module. This offer is open to all universities in the country that presents Environmental Law as a LLB module.

Applications may be directed to: [Anel du Plessis](#) and [Saritha Marais](#)

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 13

27 March 2020

2019-2020 STUDENT ESSAY COMPETITION

Submission date **Extended to 30 April 2020**

The ELA Essay Competition is open to any student who is enrolled at a South African higher education institution (including undergraduate and postgraduate programs) or was enrolled in the year prior to submission, but has since completed his/her studies. Evidence of enrolment as a student must be submitted along with the essay. For the purposes of this Essay Competition, a 'South African higher education institution' is such an institution as defined in the Higher Education Act 101 of 1997. Submissions will be considered in two categories: (i) under graduate students and (ii) post-graduate students.

More [information](#)

In this time of Covid-19 we would like to wish you and your dear ones well. All over the world associations are cancelling conferences, workshops etc.

We would like to keep in touch, finding new ways to keep in contact and we shall update you soon in this regard.

In the meantime, keep in contact via our Newsletter, Website and Facebook.

BILLS

Public Procurement Bill – Gen Notice 220 in GG 43171 of 27 March 2020 - Draft and withdrawal of notice - Deadline for comments extended

NOTICES

National Water Act 36 of 1998 and Water Services Act 108 of 1997 – GN 35 in GG 43136 of 25 March 2020 - Limpopo Provincial Operations - Limiting the Use of Water in Terms of Item 6 of Schedule 3 of the National Water Act 36 of 1998 - For Irrigation, Urban, Industrial and Mining Purposes from the Polokwane Water Supply System, Glen Alpine Dam, Doorndraai Dam, Tzaneen Dam, Thabina

Dam, Modjadji Dam, Middle Letaba Dam, Nsami Dam, Albasini Dam, Mutshedzi Dam, Nzhelele Dam, Nwanedi Dam And Luphephe Dams

Mineral and Petroleum Resources Act 28 of 2002 and the Interpretation Act 33 of 1957– GN R420 in [GG 43172](#) of 27 March 2020 - Amendments to mineral and petroleum resources development regulations

National Environmental Management :Air Quality Act 39 of 2004 – GN 421 in [GG 43174](#) of 27 March 2020 - Amendment of listed activities and associated minimum emission standards

National Heritage Resources Act 25 of 1999 – GN 365 in GG 43145 of 27 March 2020 - Declaration of the Game Pass Rock Shelter, Kamberg Nature Reserve, KwaZulu-Natal as a National Heritage Site

National Environmental Management: Biodiversity Act 10 of 2004 – Gen Notice 221 in [GG 43173](#) of 27 March 2020 - Advisory committee (High-Level panel) - Submissions invited

Marine Living Resources Act 18 of 1998 – GN 364 in GG 43145 of 27 March 2020 - Applications for New (Experimental and Exploratory) Fisheries

Airports Company Act 44 of 1993 – Gen Notice 218 in GG 43166 of 26 March 2020 - Ministerial Order regarding International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Regulations, 2020 published in Gen Notice 175 in GG 43105 of 18 March 2020 repealed

Compensation for Occupational Injuries and Diseases Act 130 of 1993 – Gen Notice 193 in GG 43126 of 23 March 2020 - Compensation for Occupationally-Acquired Novel Corona Virus Disease (COVID-19)

Disaster Management Act 57 of 2002 – Regulations issued in terms of s. 27 (2) of the Act published as GN 318 in GG 43107 of 18 March 2020 - amended by GN R398 in GG 43148 of 25 March 2020 and GN R419 in GG 43168 of 26 March 2020 and Tswana translation in GN 354 in GG 43128 of 23 March 2020

Disaster Management Act 57 of 2002 – Gen Notice 215 in GG 43161 of 26 March 2020 - Directive: Coronavirus Covid19 Temporary Employee / Employer Relief Scheme

Disaster Management Act 57 of 2002 - GN R399 in GG 43147 of 25 March 2020 - COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities, and where indicated, institutions of Traditional Leadership

Disaster Management Act 57 of 2002 - GN 412 in GG 43157 of 26 March 2020 - Public Transport Services Directions, 2020

National Ports Act 12 of 2005 – Gen Notice 216 in GG 43163 of 26 March 2020 - COVID-19 Restrictions on the Movement of Persons and Crew) Directions, 2020

Disaster Management Act 57 of 2002 - GN 415 in GG 43160 of 26 March 2020 - International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020

Disaster Management Act 57 of 2002 – Gen Notice 215 in GG 43161 of 26 March 2020 - Covid-19 Temporary Relief Scheme, 2020

Disaster Management Act 57 of 2002 – GN 416 in GG 43162 of 26 March 2020 - Home Affairs Directions to Prevent and Combat the Spread of COVID-19

Disaster Management Act 57 of 2002 – GN R418 in GG 43167 of 26 March 2020 - Directions to address, prevent and combat the spread of COVID-19 in all courts, court precincts and justice service points

Disaster Management Act 57 of 2002 – GN 413 in GG 43158 of 26 March 2020 - Cross-Border Road Transport Special Dispensation (COVID-19 Restrictions on the movement of Cross-Border Road Transport Passengers) Directions, 2020

Disaster Management Act 57 of 2002 – GN 417 in GG 43164 of 26 March 2020 - Electronic Communications, Postal and Broadcasting Directions

Disaster Management Act 57 of 2002 – GN 414 in GG 43159 of 26 March 2020 - Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Regulations, 2020

National Ports Act 12 of 2005 – Gen Notice 217 in GG 43165 of 26 March 2020 - National Ports Act (COVID-19 Restrictions on the movement of persons and crew) Regulations, 2020 published in GenN 173 in GG 43103 of 18 March 2020 repealed

Legal Practice Act 28 of 2014 - Legal Practice Council [Notice 208](#) of 2020 - Code of conduct - Criteria and procedures for recommendations of conferment of Senior Counsel and Senior Attorney status – for comment

Standards Act 8 of 2008 – GN 211 in GG 43145 of 27 March 2020

- SANS 60076-16 Ed 2 - Power transformers Part 16: Transformers for wind turbine applications. Applies to dry-type and liquid-immersed transformers for wind turbine step-up applications having a winding with highest voltage for equipment up to and including 72,5 kV – for comment
- SANS 24521 Ed 1 - Activities relating to drinking water and wastewater services-Guidelines for the management of basic on site domestic wastewater services. This standard provides guidance for the management of basic on-site domestic wastewater services, using appropriate technologies in their entirety at any level of development and is intended to be used in conjunction with ISO 24511 – for comment
- SANS 60076-16 Ed 2 - Power transformers Part 16: Transformers for wind turbine applications. Applies to dry-type and liquid-immersed transformers for wind turbine step-up applications having a winding with highest voltage for equipment up to and including 72,5 kV – for comment
- SANS 53284-1:2020 Ed 1 - Stationary source emissions. Determination of low range mass concentration of dust - Part 1 Manual gravimetric method. Specifies the standard reference method (SRM) for the measurement of low dust concentration in ducted gaseous streams in the concentrations below 50 mg/m³ at standard conditions
- SANS 54791:2020 Ed 1 - Stationary source emissions - Determination of mass concentration of sulphur oxides - Standard reference method. Specifies the

standard reference method (SRM) for the determination of the sulphuric oxide SO₂ in flue gases emitted to the atmosphere from ducts and stacks.

- SANS 54789:2020 Ed 1 - Stationary source emissions. Determination of volume concentration of oxygen. Standard reference method: Paramagnetism. Specifies the standard reference method (SRM) based on the paramagnetic principle for the determination of the oxygen concentrations in flue gases emitted to the atmosphere from ducts and stacks
- SANS 54790:2020 Ed 1 - Stationary source emissions - Determination of the water vapour in ducts - Standard reference method. Specifies the standard reference method (SRM) based on a sampling system with a condensation/adsorption technique to determine the water vapour concentration in the flue gases emitted to atmosphere from ducts and stacks.

Public Service Act, 1994 - Proc 16 in GG 43170 of 27 March 2020 - Amendment of Schedule 2 to the, 1994: Northern Cape Province

National Environmental Management: Protected Areas Act 57 of 2003 – Proc 15 in GG 43145 of 27 March 2020 - Declaration of certain properties situated in Northern Cape the Meerkat National Park

Electricity Regulation Act 4 of 2006- GN 402 in GG 43151 of 26 March 2020 - Licensing exemption and registration – Amendment

South African Geographical Names Council Act 118 of 1998 - GN 352 in GG 43124 of 23 March 2020 - Approval of official geographical names

National Railway Safety Regulator Act 16 of 2002 - GN 360 in GG 43138 of 25 March 2020 - Railway Safety Regulator: Determination on Verbal Safety-Critical Communication Protocol published for implementation by the Railway Operators with effect from 1 April 2020

International Trade Administration Act 71 of 2002 – Gen Notice 203 in GG 43141 of 25 March 2020 - International Trade Administration Commission of South Africa: Extension of the Price Preference System on the Exportation of Ferrous and Non-Ferrous Waste and Scrap Metal from 1 April 2020 to 31 December 2020

National Environmental Management: Biodiversity Act 10 of 2004 – Gen Notice 221 in GG 43173 of 27 March 2020 - Call for submissions on matters related to the management and handling, breeding, hunting and trade of elephant, lion, leopard and rhinoceros

PROVINCES

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 68 in PG 4403 of 23 March 2020 - Dr Beyers Naudé Local Municipality: Spaza Shop By-laws

Free State

National Environmental Management: Protected Areas Act 57 of 2003 - PN 128 in *PG 131* of 26 March 2020 - Declaration of a private nature reserve: Witkoppen Fish and Game Reserve

Limpopo

National Environmental Management: Protected Areas Act 57 of 2003 - PN 42 in *PG 3073* of 20 March 2020 - Declaration of respective land parcel as a nature reserve - Madeira 70 KT to be part of Lekgalametse Nature

National Environmental Management: Protected Areas Act 57 of 2003 - PN 43 in *PG 3073* of 20 March 2020 - Declaration of private nature reserve - Lapalala Private Nature Reserve

Limpopo Environmental Management Act 7 of 2003 – PN 44 in *PG 3073* of 20 March 2020 - Open Season: Game, 2020

Limpopo Initiation Schools Act 6 of 2016 - Proc 17 in *PG 3074* of 27 March 2020 – commences 1 April 2020

Limpopo Initiation Schools Act 6 of 2016 - Proc 17 in *PG 3074* of 27 March 2020 - Limpopo Initiation Schools Regulations, 2020 published with effect from 1 April 2020

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 53 in *PG 3145* of 27 March 2020 - Victor Khanye 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 54 in *PG 3145* of 27 March 2020 - Victor Khanye Local Municipality - Street Trading By-law

KwaZulu Natal

Kwazulu-Natal Planning and Development Act 6 of 2008 - PN 35 in *PG 2177* of 26 March 2020 - Norms and standards for electronic communication facilities

Kwazulu-Natal Planning and Development Act 6 of 2008 - PN 36 in *PG 2177* of 26 March 2020 - Draft consultation paper and draft norms and standards for spatial imperatives for public service infrastructure - for comment

Criminal Procedure Act 57 of 1977; National Road Traffic Act 96 of 1996; Constitution of the Republic of South Africa, 1996; and Local Government: Municipal Systems Act 32 of 2000 - MN 15 in *PG 2177* of 26 March 2020 - uMhlathuze Local Municipality: Informal Trading By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 16 in *PG 2177* of 26 March 2020 - uMhlathuze Local Municipality - Animal Pounds By-law, 2019

Spatial Planning and Land Use Management Act 16 of 2013 - MN 17 in *PG* 2177 of 26 March 2020 - Endumeni Local Municipality - Establishment of the Municipal Planning Tribunal and the appointment of members

North West

North West Business Licensing Act 3 of 2019 - PN 16 in *PG* 8109 of 20 March 2020 - North West Business Licensing Regulations, 2019

Northern Cape

National Environmental Management: Protected Areas Act 57 of 2003 – Gen Notice 37 in *PG* 2338 of 23 March 2020 - Declaration of nature reserves - Karas, Areb, Marietjie van Niekerk and Smorgenskadu Nature Reserves

Western Cape

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20136 in *PG* 8222 of 20 March 2020 - Matzikama Local Municipality - Amendment to the Spatial Development Framework, 2014 – for comment

INTERNATIONAL LAW AND POLICY

EU “2030 Climate Target Plan” – open for [comment](#)

CASES

National

Commissioner of the South African Revenue Service v Public Protector and Others (84074/19) [2020] [ZAGPPHC](#) 33 (23 March 2020)

Whether the Public Protector is entitled to a private person’s tax information

Bo-Kaap Civic and Ratepayers Association and Others v City of Cape Town and Others (case no 112/2019) [2020] [ZASCA](#) 15 (24 March 2020)

Summary: Approval by local authority and Mayor of land use application – challenged on the basis of unreasonableness, irrationality and error of law – nature of judicial review discussed – deference to expertise of decision makers – no reviewable irregularity – costs in relation to asserted constitutional litigation discussed.

Nature’s Choice Farms (Pty) Ltd v Ekurhuleni Metropolitan Municipality (Case no 463/19) [2020] [ZASCA](#) 20 (25 March 2020)

Summary: Rule 33(4) of Uniform Rules of Court – separation of issues – issues not accurately circumscribed – dispute relating to issues to be decided – sections 74, 75, 75A and 95 of Local Government Municipal Systems Act 32 of 2000 – Municipal Water Tariffs – interpretation of bylaw – prescription – when debt falls due – rendering invoice does not interrupt prescription.

Normandien Farms (Pty) Limited v South African Agency for Promotion of Petroleum Exportation and Exploitation (SOC) Limited and Others (CCT195/19) [2020] [ZACC](#) 5 (24 March 2020)

Summary: Mineral and Petroleum Resources Development Act 28 of 2002 — application for exploration right — mootness — interests of justice — punitive costs

C:SARS v United Manganese of Kalahari (Pty) Ltd (264/2019) [2020] ZASCA 16 (25 March 2020)

Summary: Mineral and Petroleum Resources Royalty Act 28 of 2008 – royalty calculation based on gross sales determined in terms of s 6(2)(b), read with s 6(3)(b) of the Royalty Act – gross sales to be determined without regard to any expenditure incurred in respect of transport, insurance and handling of mineral – meaning of ‘without regard to any expenditure’.

International

[CAZ-08-323-2019](#) *Moses Lukwanda + 9 Others VS Zambia Airforce Projects Limited + 7 Others* 17-02-2020 [Rickardt C “A Matter of Justice” IBA Legalbrief 23 March 2020]

“This is a renewed application for an interim injunction made pursuant to Order 7 Rules (1) and (2) of the Court of Appeals Rules, 2016 and section 4(1) and (4) of the Environmental Management Act No. 112 of 2011. This application rests on proceedings commenced by the Applicant before the High Court seeking the following reliefs: [amongst others]

1. An injunction restraining the Defendants by themselves, their servants or agents or otherwise whatsoever from continuing construction works or further developments in the area;
2. An order that the Defendants should obey the Protection Order of 22nd September 2017.
3. An order declaring that the developments are a threat not only to the Chalimbana River Catchment but the greater Lusaka Aquifer System;
4. A declaration that the Busoli people and the general public have a right to access clean and uncontaminated water for their consumption and use which is threatened by the impugned development by the Defendants;
5. A declaration that the developments in the area are a threat to the Plaintiffs and general public’s right to a clean, safe and healthy environment pursuant to Section 4 of the Environmental Management Act.”

Standing Rock Sioux Tribe, et al., Plaintiffs, v. U.S. Army Corps Of Engineers, et al. Case No Civil Action [No. 16-1534](#) (JEB) decided 25 March 2020 United States District Court for the District of Columbia

The Court returns once more to the segment of the Dakota Access Pipeline running under the Missouri River and to its effects on the Indian Tribes living nearby. In February 2017, Defendant U.S. Army Corps of Engineers concluded that granting an easement for the crossing would yield no significant environmental impact, thus exempting the agency from having to prepare an Environmental Impact Statement under the requirements of the National Environmental Policy Act. In these consolidated cases, several Tribes whose reservations lie near Lake Oahe challenge that decision.

[California v. BLM](#), N.D. Cal., No. 4:18-cv-00521, 3/27/20

“Pending before the Court are cross-motions for partial summary judgment in two related cases, *State of California v. Bureau of Land Management, et al.*, No. 18-cv-00521-HSG, and *Sierra Club v. Zinke*, No. 18-cv-00524-HSG. See Case No. 18-cv-0521, Dkt. Nos. 112 (“California Mot.”), 116 (“BLM Mot.”), 119 (“Wyoming Mot.”), 120 (“API Mot.”), and 121 (“Associations Mot.”); Case No. 18-cv-0524, Dkt. No. 110 (“Citizen Group Mot.”). Plaintiffs in both cases challenge Federal Defendants’ promulgation of a final rule that repealed a previous rule regulating hydraulic fracturing operations on federal and tribal lands. Plaintiffs assert that the issuance of the final rule violated the Administrative Procedure Act (“APA”), National Environmental Policy Act (“NEPA”), and the Endangered Species Act (“ESA”). The Court grants Federal Defendants’ motion for summary judgment on all grounds and denies Plaintiffs’ motions. The Court further grants Wyoming’s, API’s and the Associations’ motions for summary judgment.”

PUBLICATIONS

National

City of Cape Town “Know Your Coast, 2019” ([Report](#) March 2020)

2020 116(3/4) *South African Journal of Science* now [available](#) (free download)

International

Nzaou Aubin “Energy Transition Governance Research Materials – Vol. 1” ([Report](#) Environment, Energy and Natural Resources (EENR) Center at the University of Houston Law Center March 2020)

Human Development Reports “2020 Human Development Perspectives tackling Social Norms: A game changer for gender inequalities” ([Report](#) March 2020)

2020 March *Energy Review* [available](#) now

Kroepsch A “New rig on the block: spatial policy discourse and the new suburban geography of energy production on Colorado's Front Range” 2016 [Environmental Communication](#) DOI: 10.1080/17524032.2015.1127852

Favero A, Daigneault A and Sohngen B “Forests: Carbon sequestration, biomass energy, or both?” 2020 6(13) *Science Advances* DOI: 10.1126/sciadv.aay6792

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Daily Maverick](#): Worthington R and Halsey R “An appeal to Cabinet: South Africa’s standstill on climate crisis response” 19 March 2020 [provided by Andrew Gilder ClimateLegal]

[Mail & Guardian](#): Kings S “A car and a window into the near future” 26 March 2020

- **Mining**

[CER](#): “CER admitted as amicus in appeal of troubling judgment against mining-affected community” 19 March 2020

[Mining Weekly](#): Bieschof-Niemz T “Opinion: Could coal miners be incentivised to support the transition to renewables? 20 March 2020 [Legalbrief Environmental 24 March 2020]

- **Water, waste, oceans and chemicals**

[GroundUp](#): Postman Z ““Our entire livelihoods are coming to a standstill” says waste picker” 27 March 2020

[GroundUp](#): Lali V “Illegal dumping site stinks in Mfuleni” 27 March 2020

- **Miscellaneous**

[Webber Wentzel](#): Covid-19: “Practical guidance on significant commercial and legal issues” – will be updated regularly

Litigation: Whistle-blower Zulu gets witness protection

“The Human Rights Commission (HRC) has vowed to continue fighting to secure the most suitable form of state-funded protection for corruption whistle-blower Thabiso Zulu. The Star reports it scored what could be viewed as a half-victory yesterday in litigation it pursued on Zulu’s behalf. Gauteng High Court (Pretoria) Judge Jody Kollapen ruled yesterday that Zulu should temporarily be placed under witness protection pending assessments on the threats he faces and negotiations on the appropriate protection. Zulu and the HRC had sought an order compelling the state to supply him private bodyguards, as recommended in a State Security Agency report. The state – via Police Minister Bheki Cele and National Police Commissioner Khehla Sitole – wanted Zulu to be placed in a place of safety. Said Kollapen: ‘I’m satisfied that the applicant faces a threat to his life and he’s in need of protection.’”

Full report in The Star (subscription needed) Legalbrief 27 March 2020

[Daily Maverick](#): De Vos P “Lockdown laws: The Good, The Bad and The Vague” 27 March 2020

[The Conversation](#): Machanick P “Reality of exponential growth of COVID-19 shows South Africa’s lockdown is right” 26 March 2020

Africa

- **Biodiversity, protected areas and culture**

[allAfrica](#): “Kenya: New Locust Swarms Invade Farms in South Rift” 25 March 2020

[allAfrica](#): Lomoria D “Kenya: Turkana Herders Struggle to Survive in Cycle of Droughts, Floods” 27 March 2020

[allAfrica](#): Tjitemisa K “Namibia: Conservancy Reinforces Security to Curb Poaching” 26 March 2020

[The Guardian](#): Hammerschlag A “‘A manatee is worth more alive’: the mission to save Africa’s sea mammals” 23 March 2020

[The Conversation](#): De Haas A “Transmission of diseases from humans to apes: why extra vigilance is now needed” 24 March 2020

- **Climate change and energy**

[allAfrica](#): Njagi D “Africa: Climate Crisis - The 'Scramble for Resources' And How it Fuels Conflict” 25 March 2020

[allAfrica](#): Singhateh M “Gambia: Environment Ministry's Adviser and Interim Project Manager of Eba Speaks On Environmental Degradation/Climate Change” 26 March 2020

- **Local government**

[allAfrica](#): Omulo C “Kenya: Garbage Collection in Nairobi Intensified” 25 March 2020

- **Water, waste, oceans and chemicals**

[TimesLive](#): Harrisberg K and Peyton N “Fears over handwashing in Africa to stem coronavirus seen as trigger for change” 21 March 2020

[The Conversation](#): Tekuya M “Colonial-era treaties are to blame for the unresolved dispute over Ethiopia’s dam” 25 March 2020

[allAfrica](#): Mutambo A “Ethiopia: Meles - U.S. 'Overstepped' Mandate on Nile Waters Talks” 24 March 2020

- **Miscellaneous**

[BizNews](#): Van Tilburg L “Africa on same Covid-19 march as worst hit countries with fewer weapons – The Wall Street Journal” 26 March 2020 [subscription needed]

[allAfrica](#): “Africa: COVID-19: UN Chief Calls for Global Ceasefire to Focus on 'The True Fight of Our Lives'” 24 March 2020

[allAfrica](#): “Africa: COVID-19 UPDATE - MSF Calls For No Patents or Profiteering on Drugs, Tests & Vaccines” 27 March 2020

International

- **Biodiversity, national parks and culture**

[Lexology](#): “Tools for Navigating Natural Resource Laws During a National Emergency” 18 March 2020

[IISD](#) SDG Knowledge Hub: Scanlan JE “The Imperative of Ending Wildlife Crime” 24 March 2020

[IISD](#) SDG Knowledge Hub: Hestad D “” Invasive Species Threaten Globally Important Seabirds in Kiribati” 20 March 2020

Duke Environmental Law and Policy Clinic: Justice for the James – [story map](#)

[IISD](#) SDG Knowledge Hub: Walcott J and Miles L “Sustainable Forests and Reaching the SDGs” 26 March 2020

[Lexology](#): “A (synthetic) fish for your thoughts? Risk-return on emerging sustainability focused sectors” 24 March 2020

[Science](#): Popkin G “Scientists plant ‘sentinel trees’ to warn of devastating pests” 25 March 2020

[The Independent](#): Yucekoralp E “It’s time we made ‘rewilding’ second nature for environmental policy” 25 March 2020

[The Independent](#): Giordano C “Marine species ‘fleeing towards earth’s poles to escape rising ocean temperatures’” 27 March 2020

[BBC](#): Briggs H “Heirloom plants: Saving the nation's seeds from extinction” 28 March 2020

- **Climate change and energy**

[Lexology](#): “Trouble in Paradise: Honolulu Brings Climate Change Lawsuit Against Fossil Fuel Companies” 19 March 2020

[The Guardian](#): Boffey D “Utrecht rooftops to be ‘greened’ with plants and mosses in new plan” 27 March 2020

[GNHRE Blog](#): Townsend Dina “Thinking about climate change in a time of COVID-19” 16 March 2020

[Clean Energy Wire](#): Wettengel J “US keeps wary eye on EU carbon border tax plans” 23 March 2020

Florence School of Regulation [Podcast](#): Series on the Energy Transition and Climate Change - EU Energy Commissioner Kadri Simson discusses the energy taxation policy in EU and the challenges behind a just transition.

[IISD](#) SDG Knowledge Hub: Antonich B “GCF Prepares to Deliver Ambition for COP 26” 24 March 2020

[IISD](#) SDG Knowledge Hub: Fishman A “[Report](#) Helps ICT Sector Set Science-Based Targets on Climate Change” 24 March 2020

[IISD](#) SDG Knowledge Hub: Antonich B “ICAO Identifies Six Eligible Carbon-Offsetting Programmes for Aviation Industry” 24 March 2020

[Carbon Brief](#): Mapped: The world’s coal power plants

[Washington Post](#): Margolin J “Politicians blew off Gen Z’s climate goals. The coronavirus shows we can act fast” 26 March 2020

[The Guardian](#): Harvey F “Tackle climate crisis and poverty with zeal of Covid-19 fight, scientists urge” 28 March 2020

[The Guardian](#): Ambrose J “World’s wind power capacity up by fifth after record year” 25 March 2020

[The Independent](#): Boyle L “The ozone layer is healing, new study finds” 27 March 2020

[The Independent](#): Cockburn H “Coronavirus: Greener, more equal economy must emerge after impact of Covid-19, experts say” 27 March 2020

[The Independent](#): Cockburn H “Climate crisis: [UK] Government unveils ‘unprecedented’ vision of future travel with focus on walking, cycling and public transport” 28 March 2020

[BBC](#): Foot C “Breaking Bad Uncovering The Oil Industry's Dirty Secret” March 2020

- **Local government**

[CityTalk Blog](#): DeKovic A “How COVID-19 is affecting the work of local government sustainability officers” 25 March 2020

[CityTalk Blog](#): Preen M “The importance of connecting people with nature in times of social isolation” 24 March 2020

[CityTalk Blog](#): “Integrating urban natural assets into city planning and decision-making in African cities: A new handbook series” (March 2020)

[The Independent](#): Cockburn H “As gardeners turn to growing own food, research reveals dramatic decline in urban allotments over last 50 years” 28 March 2020

- **Mining**

[ABC News](#): Rollason B “Victoria gives green light to conventional onshore gas exploration but bans fracking” 17 March 2020 [Legalbrief Environmental 24 March 2020]

- **Water, oceans, waste and chemicals**

[Lexology](#): “Are single-use plastics ‘toxic’?” 19 March 2020

[Lexology](#): “COVID-19 Triggers EPA’s Emerging Viral Pathogen Guidance for Disinfectants” 16 March 2020

[Lexology](#): “EPA Announces Preliminary PFOA and PFOS Regulatory Determinations for Drinking Water” 19 March 2020

[Lexology](#): “COVID-19 Updates for Water Agencies and Water Users” 19 March 2020

[Lexology](#): “Agencies, Plaintiffs Target Ethylene Oxide” 19 March 2020

[UNDP](#): Goal 6: Clean water and sanitation

[HPNet](#): Wisions Video - It captures the work of local micro hydro practitioners and HPNET's approach to advancing community-scale hydropower solutions (March 2020)

[Science](#): Sokol J “Mysterious chemical found in dead cat’s brain reopens debate over mercury poisoning disaster” 24 March 2020

[The Guardian](#): Carrington D “Scientists find bug that feasts on toxic plastic” 27 March 2020

[BBC](#): Briggs H “Plastic: How to predict threats to animals in oceans and rivers” 27 March 2020

[Lexology](#): “COVID-19 and safe drinking water” 23 March 2020

[Science](#): Voosen P “Ancient warming threw this crucial Atlantic current into chaos. It could happen again” 26 March 2020

- **Miscellaneous**

[Lexology](#): “Status of Operations: U.S. Environmental Protection Agency and Select State Environmental Agencies” 19 March 2020

[Lexology](#): “Six Things to Consider Before the Coronavirus Impacts Environmental Compliance” 19 March 2020

[UNDP](#): “COVID-19 Pandemic - Humanity needs leadership and solidarity to defeat COVID-19” (March 2020)

UN: Coronavirus disease (COVID-19) – dedicated [website](#)

[UNDP](#): Bias and Backlash (March 2020)

[University of Louisville Law](#): “Professor Tony Arnold offers a resilience justice perspective on the COVID-19 pandemic”

[Lexology](#): “Missouri Department of Natural Resources Announces Flexibility in Response to COVID-19 Outbreak” 25 March 2020

[Lexology](#): “Polluter pays? Draft Financial Assurance Guideline and Policy out now for consultation” 23 March 2020

[IISD](#) SDG Knowledge Hub: Alisjahbana AS “Writing a Greener Story in Asia and the Pacific” 25 March 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Asia-Pacific Off Track: 20% of SDG Indicators Predicted to be Worse in 2030” 26 March 2020

[IISD](#) SDG Knowledge Hub: Leone F “Experts Highlight Best Practices in Post-VNR Follow-up” 26 March 2020

[IISD](#) SDG Knowledge Hub: Fishman A “UNDP Gender Social Norms [Index](#) Finds Massive Bias Against Women” 26 March 2020

[Lexology](#): “Does Environmental Investigation and Remediation Continue Despite COVID-19 Business Restrictions and Social Distancing?” 23 March 2020

[Science](#): Miller G “Researchers are tracking another pandemic, too—of coronavirus misinformation” 24 March 2020

[The Guardian](#): “How did Spain get its coronavirus response so wrong?” 26 March 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date!

Date: 3-5 September 2020

Place: Gauteng

More information will follow – applying the precautionary principle, the conference will only proceed if Covid-19 measures are no longer in place

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

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](#) **Postponed until August**
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020 **Postponed until August**
- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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 Zululand: 2020 MBALI International conference: Shifting global paradigms: Unleashing Africa's potential – save the date

Dates: 9-11 September 2020

Sub themes: Contemporary topics on Management, Business, Administrative and Legal initiatives

More information will follow

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

The call for papers and the registration for the 2020 Private Law and Social Justice Conference is open. This is the twelfth year that the conference will be held. Over the years we have welcomed conference delegates from all over the country. The programme will be made available on the website once the call for papers has closed.

You may find information regarding the call for papers and registration for the conference on the [Private Law and Social Justice Conference webpage](#).
[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Call for abstracts

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

University of Johannesburg, SAIFAC and Animal Law Reform South Africa (ALRSA): Legal Evolution and the New Rights Revolution: Expanding the Sphere of Protection to Animals and the Environment

Date: 3 and 4 December 2020

Place: Johannesburg, South Africa

Abstracts (In Word document not more than 500 words) by 20 April 2020 to [Amy Wilson](#)

Full papers: 15 November 2020

SBE2020: Sustainable Built Environments – Call for submissions

Dates: 11-20 August 2020

Venue: Goudini Spa, Western Cape

More information on the [website](#) / SBE2020 Secretariat [Kruger & Associates](#) Tel: [+27 28 316 2905](#)

CODATA: Free Webinar on: Sustainable and Resilient Urban Ecologies – Possible lessons from recent Australian Bushfires (Part of a Webinar Series on Smart & Resilient Cities)

Date: Tue, 31 March 2020

Time: 11:00 UTC (07:00 New York, 12:00 London, 22:00 Sydney)

[Registration](#)

International

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

More [information](#)

IUCNAEL 2020 Colloquium: Workshop, Sponsored by the Research Committee of the IUCN Academy of Environmental Law

Date: 7 July 2020

Time: 10:00 - 12:00

For enquiries about this workshop please write to Professor [Afshin Akhtar-Khavari](#), QUT Law School, Brisbane, Australia: or [Katie Woolaston](#) [Flyer available from secretariat]

Free Webinar: Non-Profit Energy Cooperatives as the Catalyst of the Movement of People to Renewable Electricity

Date: Friday, April 3rd at 11:00 EDT

Corresponding UTC (GMT) [Friday, April 3, 2020 at 15:00:00](#)

Register here: [Register Link](#)

Goware - An Innovative Tool for The Management of the Drinking Water Resources at European Level

Date: Wednesday 01 April 2020

Time: 12.30 pm - 1.30 pm CEST

More [information](#)

Free Webinar: Environmental Law and Policy Annual Review (Washington, D.C. Conference)

Date: 3 April 2020

Time: 9:30 AM to 3:00 PM EST

[Programme](#)

[Registration](#) by 1 April 2020

Vinson & Elkins LLP Webinar: The New ESG: How COVID-19 Has Permanently Altered the ESG Conversation

Date: 8 April 2020

Time: 12:00 – 1:00 p.m. CT; 1:00 – 2:00 p.m. ET

[Registration](#)

School of Oriental and African Studies: Free online courses in Energy, Climate Policy and Diplomacy

Get a taster by signing up to a Massive Online Open Course (MOOC) in areas including Financial Management, Climate Policy or Global Diplomacy.

Taught by leaders in their fields, [SOAS MOOCs](#) are free online programmes which are available to everyone and offer an affordable and flexible way to learn new skills

- [Diplomacy in the Modern World](#)
- [Global Energy and Climate Policy](#)
- [Global Diplomacy: United Nations and the World](#)
- [Risk Management in the Global Economy - launching soon](#)
- [Understanding Research Methods](#)

Alternatively, visit our distance [learning site](#) to discover our full range of online Masters, Diplomas and Certificates:

NEWS

National

- **Biodiversity, protected areas and culture**

Mabuza E “Warrant of arrest issued for speaker Thandi Modise' in animal cruelty case” [TimesLive](#) 24 March 2020

Sizane M “Covid-19: Circumcision schools suspended in Eastern Cape” [GroundUp](#) 23 March 2020

Jordan B “Covid-19: Inland fisheries plead with minister for 'essential' status” [TimesLive](#) 28 March 2020

Pinnock D and Walters T “Scales tip in favour of pangolins as hosts of Coronavirus ‘transition’” [Daily Maverick](#) 25 March 2020

“Nominations are now open for the Rhino Conservation Awards” [Traveller24](#) 25 March 2020

“Watch | These goats in Portugal are helping fight forest fires” [Traveller24](#) 24 March 2020

“Watch | Humans are putting fireflies at risk of extinction” [Traveller24](#) 21 March 2020

CapeNature notification and EIA review protocol during COVID-19 lockdown

CapeNature would like to inform relevant parties of the procedure that will need to be followed during the 21 day lock down period. Please inform CapeNature of applications in the following way until the 24th of April:

1. Use registered mail to send a printed cover letter and locality map and disc/flash (with all documents save separately) to Private Bag x5014 Stellenbosch 7599. CapeNature requires a physical copy for auditing purposes. This private bag address will apply for now for all Winelands, Overberg, West Coast and City of Cape Town documents. Do not use a courier for the next 3 weeks as there may not be anyone at the CapeNature offices to sign for receipt.
2. In addition, please send an email with the application name, due date and a link to the documents on your website to the following people:
 - Alana [Duffell-Canham](#)
 - Rhett [Smart](#)
 - Vicki [Hudson](#)
 - Marius [Wheeler](#)
3. Please do not send the applications via email unless all documents can be attached to one email only (5MB limit). Please clearly indicate your contact details, DEA&DP /DMR / DEA case officer and authority reference number. [IAIAsa 2020/2021 News | 27 March 2020 | COVID-19 Timeframes Notices]

- **Climate change and energy**

Creamer T “Mantashe sustains 1 MW licence-exemption cap despite calls for higher threshold” [Engineering News](#) 27 March 2020

“Sasol to bid to supply Eskom with temporary power” [IOL](#) 24 March 2020

- **Local government**

“City of Cape Town's report shows four coastal areas with poorest water quality” [IOL](#) 23 March 2020 [Legalbrief Environmental 24 March 2020]

Hendricks A “Covid-19: Lockdown hits informal traders” [GroundUp](#) 26 March 2020

- **Mining**

“Mining to take a beating during South Africa’s lock down” [Mining Review Africa](#) 24 March 2020

Secombe A “Amplats plans to keep Mogalakwena and Mototolo mines going” [BusinessLive](#) 27 March 2020

Secombe A “Anglo curtails SA mining as well as Peru and UK projects” [BusinessLive](#) 27 March 2020

- **Water, oceans, waste and chemicals**

Kretzmann S “Academics raise alarm over by-law restricting water testing” [GroundUp](#) 26 March 2020

- **Miscellaneous**

Department of Environment, Forestry and Fisheries extension deadlines

The procedure/protocol has been sent in a separate email to all ELA Members.

Western Cape DEA&DP extended deadline for environmental authorisation submissions

The DEA&DP extended the deadlines for environmental authorisations. The ELA Secretariat sent a separate email in this regard.

Eastern Cape extension of deadlines

This Communique serves to inform your good selves that due to the Covid-19 lockdown, the Department shall be compelled to halt the review and processing of EIA, Waste management licence and atmospheric emission licence applications during the said period. The unfortunate lockdown also implies that the regulated public participation process which requires gathering of people in one place especially in the form of a public meeting would not be possible as well. It is therefore prudent that the review and processing of the said applications is halted. In this regard, applicable timeframes shall either be halted or extensions be granted in terms of Regulation 3(7) of the EIA Regulations as this lockdown qualifies as an exceptional circumstance. [IAIAsa 2020/2021 News | 27 March 2020 | COVID-19 Timeframes Notices]

GDARD Procedure for environmental applications

Please note that with immediate effect we will not be accepting or processing any submission of applications. This is in response to the nation-wide lockdown announced by President Cyril Ramaphosa. We will not be accepting or processing any applications for Environmental Authorisation submitted on the EIA Online System, manual submissions for Environmental Authorisation, GPEMF registration, Amendment of Environmental Authorisation, NEMA queries and Land Use queries. This procedure will remain in place until further notice. Justine Chan on behalf of GDARD. [IAIAsa 2020/2021 News | 27 March 2020 | COVID-19 Timeframes Notices]

North West: Procedure/Protocol for Administration of Environmental Authorisation Applications for National Environmental Management Act, National Environmental: Waste & Air Quality Acts during Covid-19 lockdown

The Department hereby wishes to inform all stakeholders of the procedure/protocol for administration of Environmental Authorisation applications (EIA, Waste management licence and Atmospheric emission licence applications) and related appeals during the lockdown.

In response to the nation-wide lockdown announcement by the President, the Department will not be accepting and/or processing any applications for environmental authorisations in terms of NEMA and its SEMAs. Appeals will also not be accepted or processed.

For more information, contact Gasewabone Ellis Thebe (EIA applications) on 082 805 9591 or Basadi Moselakgomo (waste management licence applications) on 072 240 5551 or Victor Loate (Air quality management) 079 354 9429 or Carene Niewoudt (appeals) on 083 385 9486. [IAIAsa 2020/2021 News | 27 March 2020 | COVID-19 Timeframes Notices]

Rabkin F “High court refuses application to cross provinces for a funeral” [Mail & Guardian](#) 28 March 2020

Macupe B “The Covid-19 view from rural Eastern Cape: ‘The virus is still far from us’” [Mail & Guardian](#) 27 March 2020

Kiewit L “Bo-Kaap locks itself down early” [Mail & Guardian](#) 25 March 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Humphrey C “Billion-dollar wildlife industry in Vietnam under assault as law drafted to halt trading” [The Guardian](#) 18 March 2020 [Legalbrief Environmental 24 March 2020]

“Arkansas decides to keep state parks open amid COVID-19 pandemic” [eTN](#) 26 March 2020

Dickie G “Wildlife rescue centres struggle to treat endangered species in coronavirus outbreak” [The Guardian](#) 28 March 2020

“Scientists discover three new species of pterosaurs in the Sahara” [The Guardian](#) 28 March 2020

“Brazil scales back environmental enforcement amid coronavirus outbreak” [The Guardian](#) 27 March 2020

Readfearn G and Morton A “Great Barrier Reef suffers third mass coral bleaching event in five years” [The Guardian](#) 25 March 2020

Hanman P “‘Devastating biodiversity loss’ made worse by rise in land clearing” [Sydney Morning Herald](#) 27 March 2020

“Nestle says cuts deforestation in its cocoa supply chain” [Reuters](#) 27 March 2020

- **Climate change and energy**

“US DOJ challenge to WCI linkage will remain in district court” [Carbon Pulse](#) 24 March 2020

“Emissions trading expands globally on more climate ambition –report” [Carbon Pulse](#) 24 March 2020

“Carbon Tax To Increase 50%” [Canada] [BlackLock's Reporter](#) 24 March 2020

Paraskova T “Oil Price Crash Could Wipe Out \$131 Billion In New Projects” [Oilprice.com](#) 24 March 2020

Wehrmann B “Coal plant compensation should go into green corona stimulus package – renewables industry” [Clean Energy Wire](#) 24 March 2020

Lakhani N “Dakota access pipeline: court strikes down permits in victory for Standing Rock Sioux” [The Guardian](#) 26 March 2020 – also read [The Jurist](#)

“ETS, green taxation can aid recovery of virus-hit EU, say former officials” [Carbon Pulse](#) 26 March 2020

“Britain’s GHG emissions fall 3.6% in 2019 as power sector extends big CO₂ falls” [Carbon Pulse](#) 26 March 2020

Blas J *et al* “Global Oil Demand in Freefall on Pandemic, IEA Chief Says” [Bloomberg](#) 26 March 2020

Doyle A and Farrand C “Russia’s plans to tighten 2030 climate goal criticised as ‘baby steps’” [Climate Home News](#) 25 March 2020

Wehrman B “Corona crisis 'most expensive' way to lower emissions - German climate researcher” [CleanEnergyWire](#) 26 March 2020

“Soil carbon advances in Australia as overall offset issuance slows” [Carbon Pulse](#) 27 March 2020

Kelly S “U.S. EPA waives fuel requirements, extends biofuels deadline to help refineries” [Reuters](#) 27 March 2020

“Equinor to quit U.S. lobby group over climate policy” [Reuters](#) 27 March 2020

“BP, activist shareholder to jointly draft climate resolution” [Reuters](#) 27 March 2020

“California sets goal to double clean energy by 2030” [Reuters](#) 27 March 2020

Chestney N “Global coal plant development fell for fourth year running in 2019: research” [Reuters](#) 26 March 2020

Groom N “U.S. wind, solar industries plead for tax credit 'tweaks' to keep projects alive during virus outbreak” [Reuters](#) 25 March 2020

“Environmental Groups Challenge LNG Projects in Texas” [Bloomberg](#) 27 March 2020

- **Local government**

Sernos J and Hamilton M “PG&E pleads guilty to 84 counts of involuntary manslaughter over Camp fire” [Los Angeles Times](#) 23 March 2020

- **Mining**

“Trump’s Rollback of Fracking Rule Upheld By Court” [Bloomberg](#) 27 March 2020

“Mining Road Moves Closer to Opening Biggest Block of Wild Alaska” [Bloomberg](#) 27 March 2020

- **Water, waste, oceans and chemicals**

Boyle L “Coronavirus: Reusable shopping bags banned in New Hampshire to fight outbreak” [The Independent](#) 25 March 2020

“Baltimore Waste Facilities Get City’s Clean Air Act Struck Down” [Bloomberg](#) 27 March 2020

“Monsanto Must Face San Diego Port’s Nuisance Claims on PCBs” [Bloomberg](#) 27 March 2020

- **Miscellaneous**

“The Israeli Ministry of Environmental Protection Issues Guidelines for Permit and License Holders for Foreseeable Future” [Lexology](#) 21 March 2020

Ranasinghe D and Bahceli Y “As Europe fights coronavirus and climate, is 'green stimulus' the way?” [Reuters](#) 24 March 2020

Sullivan M “Canada emergency legislation allows health minister to circumvent patent laws during COVID-19 public health emergency” [The Jurist](#) 27 March 2020

Smith P “EPA suspends its enforcement of environmental laws as a result of COVID-19” [The Jurist](#) 27 March 2020

Blanchart T “‘Put Earth first’: can a greener, fairer fashion industry emerge from crisis?” [The Guardian](#) 27 March 2020

Carrington D “Coronavirus: ‘Nature is sending us a message’, says UN environment chief” [The Guardian](#) 25 March 2020

“Medical Sterilization Plant Reopens, Vows to Fight Coronavirus” [Bloomberg](#) 28 March 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

University of Fort Hare: nGAP Lecturer: Law

Closing date: 3 April 2020

More [information](#)

OWSD PhD Fellowships – deadline for application

You will find the [Call for Applications](#) and [FAQs](#) about applications attached here. If you have a question that is not covered by the FAQs, please contact fellowships@owsd.net.

University of the Free State: Law Intern

Closing date: 10 April 2020

More [information](#)

The South African Research Chair in Property Law (SARCPL)

The South African Research Chair in Property Law (SARCPL) in the Faculty of Law at Stellenbosch University provides the platform for scholars who can take the development of property law forward in the new constitutional era. The SARCPL is a research group in property law that is part of the South African Research Chairs Initiative. It is sponsored by the National Department of Science and Technology and administered by the National Research Foundation.

The SARCPL has positions for the following postgraduate, full-time programmes:

- LLM (2 years);
- LLD (3 years); and
- Postdoctoral research fellowship (2 years).

The SARCPL offers the following to its members:

- Formal research training aimed at developing highly skilled young scholars;
- Semi-formal seminars geared towards assisting students' understanding of property law and broader issues;
- Fully funded participation at national and international property law conferences; and
- NRF and departmental bursaries.

To apply, [e-mail](#) your documents before or on 10th April 2020.

For more information, please visit our [website](#)

For enquiries: [Dr Mpho Tlale \(Postdoctoral fellow at the SARCPL\)](#), 021 808 2882, CL Marais Building, Crozier Street, Stellenbosch Central, 7600.

Socio-Economic Rights Institute of South Africa (SERI) Senior Researcher

Closure date: 15 April 2020

More [information](#)

Socio-Economic Rights Institute of South Africa (SERI) Candidate attorneys

Closure date: 15 April 2020

More [information](#)

International**Senior Consultant, Ndevr Environmental – Sydney**

More [information](#)

Florence School of Regulation: Scholarships for women working in energy

Florence School of Regulation is happy to announce that the [Lights on Women initiative](#) is offering four scholarships to women around the world pioneering innovative energy solutions, research and initiatives that accelerate the energy transition.

You can find more information [here](#).

University applications invited: *Annual ELA Environmental Law Excellence Prize for Top Academic Performance in Undergraduate LLB Environmental Law Module*

Faculties and Schools of Law in South Africa are invited to apply to the ELA for financial support towards an annual prize for the top academic achiever in the undergraduate (LLB) environmental law module. This offer is open to all universities in the country that presents Environmental Law as a LLB module.

Applications may be directed to: [Anel du Plessis](#) and [Saritha Marais](#)

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

3 April 2020

2019-2020 STUDENT ESSAY COMPETITION

Submission date **Extended to 30 April 2020**

The ELA Essay Competition is open to any student who is enrolled at a South African higher education institution (including undergraduate and postgraduate programs) or was enrolled in the year prior to submission, but has since completed his/her studies. Evidence of enrolment as a student must be submitted along with the essay. For the purposes of this Essay Competition, a 'South African higher education institution' is such an institution as defined in the Higher Education Act 101 of 1997. Submissions will be considered in two categories: (i) under graduate students and (ii) post-graduate students.

More [information](#)

The Human Sciences Research Council (HSRC) is a key strategic partner to ESASTAP and a thought leader in the Science and Research space in South Africa.

In an effort to collect key metrics related to the general public's understanding around measures implemented in light of the COVID19 pandemic, they have launched a survey to understand the South African Public Understanding of and Response to the COVID-19 Emergency. Complete the HSRC online survey at the following the [link](#).

BILLS

Draft Disaster Management Tax Relief Bill, 2020 - for comment

Draft Disaster Management Tax Relief Administration Bill, 2020 - for comment

Draft Social Service Practitioners Bill, 2019 - GN 387 in GG 43145 of 27 March 2020 - for comment

NOTICES

Disaster Management Act 57 of 2002 - GN R439 in GG 43190 of 31 March 2020 - Directions issued by the Minister of Forestry, Fisheries and the Environment in terms of regulation 10(8) of the Regulations issued in terms of section 27(2) - Measures to address, prevent and combat the spread of Covid-19

Disaster Management Act – GN 436 in GG 43186 of 31 March 2020 - Measures to prevent and combat the spread of Coronavirus COVID-19 in the public transport services - Buses and taxis: Amendment

Disaster Management Act – GN 439 in GG 43189 of 31 March 2020 - Measures to prevent and combat the spread of Coronavirus COVID-19 in the public transport services - Air services: Amendment

Disaster Management Act 57 of 2002 - GN R446 in GG 43199 of 2 April 2020 - Regulations issued in terms of s. 27(2) of the Act amended

Disaster Management Act 57 of 2002 - GN R440 in GG 43191 of 31 March 2020 - Directions for all courts, court precincts and justice service points and GN R418 in GG 43167 of 26 March 2020 withdrawn

Disaster Management Act 57 of 2002 - GN R430 in GG 43182 of 30 March 2020 - Social Development Directions to prevent and combat the spread of COVID-19

Disaster Management Act 57 of 2002 – Gen Notice 235 in GG 43200 of 2 April 2020 - Tourism Directions

Disaster Management Act 57 of 2002 – GN R432 in GG 43184 of 30 March 2020 - COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities, and where indicated, institutions of Traditional Leadership published in GN R399 in GG 43147 of 25 March 2020 amended

Disaster Management Act 57 of 2002 – GN 431 in GG 43183 of 30 March 2020 and GN 436 in GG 43186 of 31 March 2020 - Public Transport Services Directions, 2020 published in GN 412 in GG 43157 of 26 March 2020 amended

Disaster Management Act 57 of 2002 – GN 431 in GG 43183 of 30 March 2020 - Public Transport Services Directions, 2020 - Declaration of essential services

Disaster Management Act 57 of 2002 – GN 423 in GG 43176 of 27 March 2020 and GN 438 in GG 43189 of 31 March 2020 - International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended

Disaster Management Act 57 of 2002 – GN R439 in GG 43190 of 31 March 2020 - Environmental Directions

National Road Traffic Act 93 of 1996 - GN 431 in GG 43183 of 30 March 2020 - Determination of extension of the validity period of a learner's licence, driving licence card, licence disc, professional driving permit and registration of a motor vehicle for purposes of COVID-19 lockdown

Public Finance Management Act 1 of 1999 - GN 437 in GG 43188 of 31 March 2020 - Exemption of relevant functionaries and institutions from certain provisions of the Act and Regulations

International Trade Administration Act 71 of 2002 - GN R424 in GG 43177 of 27 March 2020: International Trade Administration Commission of South Africa: COVID-19 Export Control Regulation published in GN R91 in GG 35007 of 10 February 2012 amended

Local Government: Municipal Finance Management Act 56 of 2003 - GN 429 in GG 43181 of 30 March 2020 - Exemption of municipalities and municipal entities from the Act and Regulations for the duration of the national state of disaster

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 - GN R395 in GG 43146 of 27 March 2020 - 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 amended with effect from 1 April 2020

Merchant Shipping Act 57 of 1951 – Gen Notice 232 in GG 43192 of 3 April 2020 - Draft Merchant Shipping (Training, Certification and Manning), Regulations, 2020 - for comment

Petroleum Products Act 120 of 1977 - GN R433 in GG 43185 of 31 March 2020 - Regulations in respect of petroleum products published in GN R241 in GG 43063 of 3 March 2020 substituted with effect from 1 April 2020

Petroleum Products Act 120 of 1977 - GN R434 in GG 43185 of 31 March 2020 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R242 in GG 43063 of 3 March 2020 substituted with effect from 1 April 2020

Petroleum Products Act 120 of 1977 - GN R435 in GG 43185 of 31 March 2020 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 1 April 2020

Compensation for Occupational Injuries and Diseases Act 130 of 1993 – Gen Notice 236 in GG 42303 of 3 April 2020 - Increase of maximum amount of earnings on which the assessment of an employer shall be calculated published with effect from 1 March 2020

Marine Living Resources Act 18 of 1998 - GN 364 in GG 43145 of 27 March 2020 - Notice in respect of applications for new (experimental and exploratory) fisheries

National Heritage Resources Act 25 of 1999 - GN 365 in GG 43145 of 27 March 2020 - Declaration of the Game Pass Rock Shelter, Kamberg Nature Reserve, KwaZulu-Natal as a National Heritage Site

Promotion of Access to Information Act 2 of 2000 – Gen Notice 228 in GG 43192 of 3 April 2020 - Mpumalanga Economic Regulator - Section 14 manual

National Environmental Management: Protected Areas Act 57 of 2003 - Proc 15 in GG 43145 of 27 March 2020 - Declaration of an area as the Meerkat National Park

Financial Markets Act 19 of 2012 - BN 50 in GG 43145 of 27 March 2020 - Proposed amendments to the JSE Debt Listing Requirements - for comment

Legal Practice Act 28 of 2014 – Gen Notice 208 in GG 43145 of 27 March 2020 - South African Legal Practice Council - Draft criteria and procedures for Conferment of Senior Counsel and Senior Attorney status - for comment

PROVINCES

KwaZulu Natal

National Environmental Management Act 107 of 1998 - PN 39 in PG 2178 of 2 April 2020 - Ugu District Municipality - Environmental Management Framework

North West

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 37 in PG 8113 of 31 March 2020 - Ditsobotla Local Municipality - Draft Land Use Scheme, 2020 – for comment

Spatial Planning and Land Use Management By-law, 2017 - LAN 51 in PG 8113 of 31 March 2020 - Ditsobotla Local Municipality - Draft Spatial Development Framework (SDF) – for comment

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 20155 in PG 8226 of 25 March 2020 - Swartland Local Municipality - Municipal Land Use Planning By-law, 2020

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 20157 in PG 8226 of 25 March 2020 - Swartland Local Municipality: Filming By-law

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 20151 in PG 8227 of 27 March 2020 - Swellendam Local Municipality - Intention to adopt and implement the Integrated Zoning Scheme By-law – for comment

Draft Western Cape Provincial Transport Infrastructure Bill, 2020 as published under PN 1 in PG 8192 of 22 January 2020 - PN 28 in PG 8228 of 31 March 2020 – extension for comment

CASES

International

S v Mafuka (HH 197-20, CRB MHW 370/18) [2020] [ZWHHC](#) 197 (04 March 2020) [IBA Legalbrief 30 March 2020]

“This review is pursuant to accused’s conviction and sentence on two counts.

The first was on a charge of unlawful possession or sale of raw ivory as defined in s 82 (1) of Statutory Instrument 362 of 1990 as read with s 128 (1) (b) of the Parks and Wild Life Act [*Chapter 20:14*].

The allegation was that on 12 September 2018 and at Nyadzomba Village, Chief Chitsungu, Mushumbi Pools the accused unlawfully possessed an ivory without a permit or licence issued in terms of the Act.

The second was unlawful possession of pangolin scales as defined in s 45 (1) (b) of Statutory Instrument 362 of 1990 as read with s 128 (1) (b) of the Parks and Wild Life Act [*Chapter 20:14*].

The State’s allegation was that on 12 December 2018 and at Nyadzomba village, Chief Chitsungu, Mushumbi Pools the accused unlawfully possessed six scales of a pangolin without a licence or permit issued in terms of the Act. ...

The pangolin is not mentioned as a specially protected animal in section 128 of the Act.

No Ministerial certificate exists in terms whereof the pangolin is specified as a specially protected animal the unlawful possession of which would attract the mandatory minimum sentence of 9 years imprisonment in the absence of a finding of special circumstances.

The sentence of 9 years imprisonment imposed *a quo* on this count is not in accordance with real and substantial justice.”

PUBLICATIONS

National

Badenhorst PJ “New Order Rights to Minerals in South Africa: Ten Years after Mayday” 2018 [African Journal of International and Comparative Law](#) DOI: 10.3366/ajicl.2018.0237

International

Robinson N “‘One World, One Health’: Legal Preparations to Avert a Pandemic” 2020 March [Westchester Lawyer](#)

2020 11(1) *Journal of Human Rights and the Environment* now [available](#)

Kibel P “Salmon Lessons for the Delta Smelt” 2019 [Ecology Law Quarterly](#)

“Pale, Male and Wrong: The Missing Link in Global Low-Carbon Transition Efforts” (ECEGA Expert [Report](#) March 2020)

Corruption Watch “The Writing is on the Wall” (Annual [Report](#) 31 March 2020) [Legalbrief 1 April 2020]

2019 3(1) *Case Studies in the Environment* now [available](#) – articles from all over the world on a variety of topics

Dann P and Riegner M “The World Bank’s Environmental and Social Safeguards and the evolution of global order 2019 [Leiden Journal of International Law](#)

Cambridge University Press – [free](#) articles on Human Rights and Environmental law and Climate law

“Securing Climate Benefit: A [Guide](#) to Using Carbon Offsets” (March 2020) Open Access

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[The Conversation](#): Thiebault A *et al* “New discovery: penguins vocalise under water when they hunt” 31 March 2020

- **Climate change and energy**

Paton C “Eskom to declare force majeure on wind farms as demand falls” [BusinessLive](#) 31 March 2020 [Legalbrief 1 April 2020]

Burkhardt P “South Africa loosens pollution limits even as virus sets in” [IOL](#) 31 March 2020

- **Mining**

[Webber Wentzel](#): “Mining related updates” 30 March 2020

- Veeran J, Rapson G and Bonga T “MPRDA regulations widen the obligation to consult” – find [here](#)
- Movshovich V and Rafferty D “Don’t approach courts until prejudice suffered - expropriation rights under MPRDA”- find [here](#)

[Mining Weekly](#): Arnoldi M “ENS Africa unpacks amendments to the MPRDA” 2 April 2020

[Mining Weekly](#): Liedtke S “Nevada Gold Mines assisting its local communities” 3 April 2020

- **Miscellaneous**

[Webber Wentzel](#): Rapson G, Novotny P-A and Bonga A “Covid-19: What the lockdown means for environmental applications & administrative timeframes” 1 April 2020

Africa

- **Biodiversity, protected areas and culture**

[Science](#): Pennisi E “National parks are no safe haven for West African lions” 3 April 2020

[Science](#): Stokstad E Rootin’, poopin’ African elephants help keep soil fertile” 1 April 2020

- **Climate change and energy**

[News24](#): Kuyedzwa C “‘Hard to believe’ tweets minister, after Zimbabwe at last pays off debt to Eskom” 31 March 2020

[Mai & Guardian](#): Kings S “Remember, corporations are adept at deflection campaigns” 2 April 2020

[Mail & Guardian](#): Davey D “New energy mix on the cards” 3 April 2020

[allAfrica](#): Njagi D “Africa: Climate Crisis - The 'Scramble for Resources' And How it Fuels Conflict” 25 March 2020

- **Mining**

[Extractives Baraza](#): Wakasiaka V “Katanga Mining withholds \$250 mln Gecamines payment, delays Congo acid plant” 1 April 2020

[Extractives Baraza](#): “Transparency and Accountability in Kenya: State of Play” 3 April 2020

- **Local government**

[The Conversation](#): Odume N “Lagos is getting less rain, but more heavy storms. What it can do to prepare” 2 April 2020

- **Water, waste, oceans and chemicals**

[The Guardian](#): Msirikale D “Burning question: plastic pollution scars poorest countries – in pictures” 31 March 2020

International

- **Biodiversity, national parks and culture**

One World One Health [Website](#): Using Veterinary and wildlife health expertise to save wildlife and wild places around the globe.

[Lexology](#): “National Zoo Elephant’s Passing Underscores Longevity of Captive Elephants” 30 March 2020

[Lexology](#): “U.S. Fish and Wildlife Service Withdraws Proposal to List Bi-state Population of Greater Sage Grouse, Designate Critical Habitat” 30 March 2020

[Science](#): Pennisi E “Dolphin ‘gangs’ protect their females by vocalizing in sync” 31 March 2020

[Lexology](#): “Do Yellowstone Park Bison Deserve ESA Protection?” 27 March 2020

[Lexology](#): “Tenth Circuit sends jaguar critical habitat back to district court” 25 March 2020

[Lexology](#): “USFWS opens status reviews for dozens of species” 25 March 2020

[Business Insider](#): Colarossi N “Photos show wild animals roaming empty streets as coronavirus lockdowns keep humans inside” 3 April 2020

[The Guardian](#): Augustin J “Crossbreeding corals: the hunt for ways to heal the Great Barrier Reef” 4 April 2020

[The Guardian](#): Doward J “Grouse shoots scrapped as heather burning is banned on moors” 4 April 2020

[The Guardian](#): Morton A “Decision to renew Victorian logging agreements criticised after summer bushfires” 2 April 2020

[BBC](#): Kinver M “Conifer is top tree in urban sound absorption test” 3 April 2020

- **Climate change and energy**

[Lexology](#): “PHMSA Issues Notice of Stay of Enforcement to Pipeline Operators” 23 March 2020

[ICLEI](#) City Talk: Dekovic A “How COVID-19 is affecting the work of local government sustainability officers” 25 March 2020

[Cities for Global Health](#): Collective responses to global health emergencies – case studies

[IISD](#) SDG Knowledge Hub: Kibiti B and Stachel N “The Virus is Not the Only COVID-19 Health Crisis: Just Ask a Half-Billion People” 2 April 2020

[IISD](#) SDG Knowledge Hub: Hestad D “Federated States of Micronesia Leads the Way in Accessing Climate Change, Disaster Risk Finance” 2 April 2020

[Lexology](#): “The value of arbitration and ADR in resolving climate change related disputes: A view into the ICC Commission’s [Report](#)” 31 March 2020

[Lexology](#): “Novel Citizen Suit Against Automotive Parts Dealer Results in \$850K Penalty” 27 March 2020

[Daily Maverick](#): Robinson M and Reddy D “Tackling climate change with Covid-19 urgency” 3 April 2020

[The Guardian](#): Watts J “North Atlantic’s capacity to absorb CO2 overestimated, study suggests” 3 April 2020

[BBC](#): “Air traffic control visualisation” 4 March 2020

[Bloomberg](#): Bloomberg Data Dash: A Live Climate Scoreboard for the World

[Bloomberg](#): Munson J “New U.S. Auto-Efficiency Proposal Creates ‘Some Havoc’ in Canada” 3 April 2020

[CleanEnergyWire](#): Eriksen F “German car industry calls on EU to drop tighter emission limits in light of crisis” 3 April 2020

- **Local government**

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[ICLEI](#): 100% Renewables Cities and Regions Roadmap

ICLEI [TAP](#): Financial toolkits

- **Mining**

[IISD](#) SDG Knowledge Hub: Anderson L “FAO: Mapping Peatlands Helps Countries Adapt and Manage Resources Better” 31 March 2020

[Extractives Baraza](#): Wakasiaka V “Miner South32 files request for arbitration in Colombia royalty dispute” 1 April 2020

- **Water, oceans, waste and chemicals**

[The Hill](#): Polsky C *et al* “Hazardous chemicals and government silence — a dangerous mix” 26 March 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “World Water [Report](#) and Resilience Coalition Launch on World Water Day” 31 March 2020

[NPR](#): Sullivan L “Plastic Wars: Industry Spent Millions Selling Recycling — To Sell More Plastic” 31 March 2020

[Lexology](#): “EPA Provides Flexibility to Pesticide Manufacturers Using ‘Commodity Inert Ingredients’” 27 March 2020

[Lexology](#): “Water Board Issues Draft Definition of Microplastics in Drinking Water” 30 March 2020

[IISD](#) SDG Knowledge Hub: Anderson L “UNCCD Finds Countries Linking Water Security to Land Degradation Neutrality” 2 April 2020

[Lexology](#): “New Access to Chemicals Information in the EU: ECHA Launches Two New Platforms” 1 March 2020

[The Guardian](#): Weston P “‘The losses could be profound’: how floods are wreaking havoc on wildlife” 3 April 2020

[BBC](#): Harrabin R “UK using 1.2 billion tonnes of material a year” 2 April 2020

- **Miscellaneous**

[The Washington Post](#): Pollack H “Who lives, who dies, who decides?” 27 March 2020

[Scientific American](#): Robinson N and Waltz C “How Do We Prevent the Next Outbreak? Our planning needs to take account of the complex interconnections among species, ecosystems and human society” 25 March 2020

[IISD](#) SDG Knowledge Hub: Leone F “UN Officials Emphasize Importance of Inclusiveness as Meetings Go Virtual” 31 March 2020

[IISD](#) SDG Knowledge Hub: Leone F “UN Launches Global Humanitarian Appeal for Vulnerable Countries, WHO Updates Response Plan” 31 March 2020

[Lexology](#): “Minnesota Pollution Control Agency Announces Regulatory Flexibility Amidst COVID-19 Impact” 31 March 2020

[Lexology](#): “EPA Issues Policy On Conditions For Enforcement Discretion During the Coronavirus Crisis” 26 March 2020

[Lexology](#): “EPA Narrows Scope of “Begin Actual Construction” Restriction Under New Source Review Preconstruction Permitting Program” 1 April 2020

[Lexology](#): “EPA indicates that it may relax enforcement measures for narrow categories of environmental legal obligations occurring after March 13, 2020, if pandemic causes inability to comply” 30 March 2020

[University of Calgary](#): Shaun Fluker “COVID-19 and the Suspension of Routine Environmental Reporting in Alberta” 2 April 2020

[Science](#): Mervis J “If you have to ask EPA for data, are they really public? Agency critics say no” 3 April 2020

[Science](#): Gibbons A “Lead pollution in ancient ice cores may track the rise and fall of medieval kings” 30 March 2020

[IISD](#) SDG Knowledge Hub: Mead L “Escazú Celebrates Youth Champions, Needs 5 More Ratifications to Take Effect” 2 April 2020 – find the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean [here](#)

[IISD](#) SDG Knowledge Hub: Fishman A “[Report](#) Finds Need to Improve National Reporting on Stakeholder Engagement in SDGs” 2 April 2020

[Lexology](#): “Queensland Court of Appeal clarifies appeal period for Planning and Environment Court decisions” 2 April 2020

[Lexology](#): “Corona crisis and your environmental permits in Flanders” 26 March 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date!

Date: 3-5 September 2020

Place: Gauteng

More information will follow – applying the precautionary principle, the conference will only proceed if Covid-19 measures are no longer in place

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

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](#) **Postponed until August**
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020 **Postponed until August**
- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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 Zululand: 2020 MBALI International conference: Shifting global paradigms: Unleashing Africa's potential – save the date

Dates: 9-11 September 2020

Sub themes: Contemporary topics on Management, Business, Administrative and Legal initiatives

More information will follow

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

The call for papers and the registration for the 2020 Private Law and Social Justice Conference is open. This is the twelfth year that the conference will be held. Over the years we have welcomed conference delegates from all over the country. The programme will be made available on the website once the call for papers has closed.

You may find information regarding the call for papers and registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Call for abstracts

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

University of Johannesburg, SAIFAC and Animal Law Reform South Africa (ALRSA): Legal Evolution and the New Rights Revolution: Expanding the Sphere of Protection to Animals and the Environment

Date: 3 and 4 December 2020

Place: Johannesburg, South Africa

Abstracts (In Word document not more than 500 words) by 20 April 2020 to [Amy Wilson](#)

Full papers: 15 November 2020

International

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality

Dates: 6-10 July 2020

Place: Groningen, Netherlands

More [information](#)

IUCNAEL 2020 Colloquium: Workshop, Sponsored by the Research Committee of the IUCN Academy of Environmental Law

Date: 7 July 2020

Time: 10:00 - 12:00

For enquiries about this workshop please write to Professor [Afshin Akhtar-Khavari](#), QUT Law School, Brisbane, Australia: or [Katie Woolaston](#) [Flyer available from secretariat]

Stetson University College of Law: Chinese wildlife law

Special presentation by Dr. Tianbao Qin, Director of Wuhan University School of Law's Research Institute of Environmental Law, on *China's Wildlife Law in the Context of Public Health: Problems and Proposals* at the online [International Wildlife Law Conference](#),

Date: 1-2 April 2020

Please pass the word to your students and interested colleagues. Everyone may register for free—just register as a Stetson student. (For purposes of this conference, we will consider all attendees Stetson students.)

The full agenda is [here](#)

Webinar Access Only: Coronavirus Lessons in remote learning from China and Europe

Date: 7 April 2020

Time: 10h30 - 12:30

Vidyo link: <https://tinyurl.com/coronawebinar>

NEWS

National

- **Biodiversity, protected areas and culture**

Criminal: Modise 'relieved' not to attend animal abuse case

“National Assembly Speaker Thandi Modise says she is ‘quite relieved’ that she won’t be forced to violate government’s Covid-19 shutdown regulations by crossing provincial lines to attend her now-postponed trial for animal abuse. She said doing so was a ‘risk’ that she was grateful she now did not need to take. Modise was reportedly speaking to Business Day shortly after her lawyers and AfriForum Advocate Gerrie Nel reached an agreement that she would not be required to appear at the Potchefstroom Regional Court in the North West today – after having an arrest warrant issued against her, and then suspended, for failing to appear on 24 March. AfriForum is pursuing a criminal case of animal abuse against Modise linked to the 2014 discovery of 50 animal carcasses on her farm. According to AfriForum’s Natasha Venter, Modise will still be expected to appear at court on 8 May to explain why she was not at court on 24 March, when her lawyers claimed she was meeting President Cyril Ramaphosa. Modise’s attorney, Wesley Vittee, reportedly told Business Day that ‘sanity has prevailed’. He added that it was ‘unfortunate’ that Modise had been forced to bring a High Court application to ensure she did not violate the government’s shutdown regulations. He noted Justice Minister Ronald Lamola had also issued directives that only the most urgent court matters would be heard during the shutdown period.”

Full Business Day report (subscription needed) Legalbrief Environmental 1 April 2020

“Animals starved to death at Bloemfontein Zoo, SPCA calls for permanent closure” [News24](#) 10 March 2020

Jordaan N “American fined R500,000, banned from SA for 'stealing' protected plants” [TimesLive](#) 1 April 2020

Slater D “Black rhino population doubles owing to concerted conservation” [Engineering News](#) 3 April 2020

“SPCA relocates animals after closure of Bloemfontein Zoo” [All4woman](#) 1 April 2020

- **Climate change and energy**

“Coronavirus plagues South Africa carbon tax collections” [Carbon Pulse](#) 3 April 2020

Khumalo S “Wind power producers 'surprised' by Eskom force majeure” [Fin24](#) 1 April 2020

- **Mining**

- **Mining: Legal action threat over Minister's manoeuvres**

“Mining Communities United in Action (Macua), a lobby group, is threatening Mineral Resources Minister Gwede Mantashe with litigation if he fails to retract regulations gazetted on the first day of the lockdown, Beeld reports. Mantashe is accused of publishing the amendments in terms of the Mineral Resources and Petroleum Resources Development Act intentionally in a period when very few people would notice and object. Christopher Rutledge, legal director of Macua, says the amendments severely restrict the rights of communities affected by mining as although they would be officially consulted before mining rights were awarded, they would have no say in the decision or have the right to refuse. The draft amendments were published in December when most people were on holiday, Rutledge says, and the final amendments were published during a lockdown. ‘We will give the Minister an opportunity to withdraw the regulations. If he refuses, we will take him to court,’ Rutledge says.”

Full Beeld report (subscription needed) Legalbrief 2 April 2020

Yeld J “Go-ahead for mining on ten West Coast beaches” [GroundUp](#) 1 April 2020 [Legalbrief 2 April 2020]

Nkosi B “NPA in bid to revive R28m illicit diamond deals case” [IOL](#) 1 April 2020 [Legalbrief 2 April 2020]

- **Water, oceans, waste and chemicals**

- **General: Umgeni Water director dished out contracts to brother**

“Another amaBhungane investigation has exposed Gabsie Mathenjwa, chair of Umgeni Water where she is tasked with awarding a portion of Community Works Programme (CWP) contracts, gave more than 300 of them, valued at R32m, to a newly-registered non-profit set up by her brother, all without a competitive bidding process. Mathenjwa – an experienced director who sits on the governance and ethics committees of Umgeni Water and is a former director of Denel – claims she was not aware of any duty to declare a conflict of interest with regard to her brother. According to the report on the Daily Maverick site, she says the Department of Co-operative Governance & Traditional Affairs (Cogta), which runs the government’s R4bn-a-year CWP programme, knew about other aspects of the arrangement and raised no objection. That is surprising, notes amaBhungane, because she has done something similar before and Cogta objected vigorously, as pointed out in an accompanying report, also featured on the DM site.”

[First amaBhungane report](#) / [Second amaBhungane report](#) Legalbrief 30 March 2020

Carnie T “Activists oppose switch from pine to gum trees over water use” [Sunday Times](#) 29 March 2020 [Legalbrief Environmental 1 April 2020]

- **Miscellaneous**

Masondo S “‘The writing is on the wall’ – Corruption Watch’s warning to government, big business” [City Press](#) 31 March 2020

Thamm M “Environment Minister asks court to overturn NPA and Barnabas Xulu’s appointment in R128m US restitution settlement order” [Daily Maverick](#) 31 March 2020 [Legalbrief Environmental 1 April 2020]

International

- **Biodiversity, protected areas, animal rights and culture**

Fears D and Grandoni D “Thousands are crowding into free national parks. And workers are terrified of coronavirus” 2020 [The Washington Post](#) 26 March 2020

Ofungi T “Chinese gang busted in Uganda crime spree” [eTN](#) 28 March 2020

Orecchio-Egresitz H “Without tourists to feed them, Thailand’s 4,000 elephants could be among coronavirus victims: [Business Insider](#) 1 April 2020

Jones D “Coronavirus: Animals around the world benefit from drop in tourism” [The Independent](#) 4 April 2020

Dalton J “Wrecked sea life could be largely revived in 30 years under action plan, say scientists” [The Independent](#) 2 April 2020

Boyle J “Trump’s industry-friendly rollback could kill billions of birds, warns ex-wildlife chief” [The Independent](#) 1 April 2020

Ugurtas S “Stinkbug invasion in Turkey threatens world hazelnut supplies” [The Guardian](#) 4 April 2020

Barkham P “HS2 wood clearance to go ahead as Chris Packham legal bid fails” [The Guardian](#) 3 April 2020

Briggs H “10 years to save ‘world’s most threatened sea turtle’” [BBC](#) 4 March 2020

Mohammed O “East Africa locust swarms gather as coronavirus curbs delay pesticides” [Reuters](#) 3 April 2020

“Keepers, animals keep each other company at Cairo’s shuttered zoo” [Reuters](#) 3 April 2020

“Frozen and desolate Antarctica once boasted warm, swampy rainforests” [Reuters](#) 1 April 2020

- **Climate change and energy**

Topham G and Harvey F “Carmakers accused of trying to use crisis to avert emissions crackdown” [The Guardian](#) 27 March 2020

Holder M “MPs launch probe into UK’s green diplomacy efforts and COP26 preparations” [BusinessGreen](#) 30 March 2020

Andrejasich K “New Jersey energy regulators to examine alternatives to PJM capacity market” [S&PGlobal](#) 27 March 2020

Saxifrage B “As Canada’s forests become carbon bombs, Ottawa pushes the crisis off the books” [National Observer](#) 30 March 2020

“Trump administration finalises rollback of national vehicle CO2 standards” [Carbon Pulse](#) 31 March 2020

“Germany seeks EU court ruling on extent of CHP plants’ ETS coverage” [Carbon Pulse](#) 31 March 2020

“Fuel tax better than EU ETS for vehicle emissions, says former top climate official” [Carbon Pulse](#) 31 March 2020

“Canada holds firm on ‘backstop’ CO2 tax increase amid coronavirus pandemic” [Carbon Pulse](#) 31 March 2020

“New Minnesota Wind and Solar Decommissioning Plan Recommendations” [Lexology](#) 25 March 2020

“Colombia extends verification arrangements for carbon tax offset projects” [Carbon Pulse](#) 2 April 2020

“Polluters see coronavirus as chance to lobby against climate policies” [edie](#) 3 April 2020 – read also [here](#)

Morgan S “Spain finally sends 2030 climate plan to Brussels” [EURACTIV](#) 3 April 2020

Toscano N “Climate revolt rocks Santos as shareholders fire up emissions push” [Sydney Morning Herald](#) 3 April 2020

“UK should form national offset watchdog, think-tank says” [Carbon Pulse](#) 2 April 2020

Jaganathan J “Singapore's Pavilion Energy seeks industry standard for green LNG” [Reuters](#) 2 April 2020

Koltonowski A “Trump softens Obama-era fuel economy standards” [The Jurist](#) 31 March 2020

“COP26 climate summit postponed to 2021 over coronavirus fears” [Carbon Pulse](#) 1 April 2020

“Coronavirus pandemic threatens climate monitoring, WMO warns” [Climate Home News](#) 1 April 2020

Boyle L “While focus is on the coronavirus, these states are criminalizing fossil fuel protests” [The Independent](#) 3 April 2020

Boyle L “‘Largest ever’ hole in ozone layer opens over North Pole” [The Independent](#) 3 April 2020

- **Local government**

Cockburn H “Climate crisis: Even low level air pollution raises risk of dementia, study finds” [The Independent](#) 31 March 2020

- **Mining**

“Who Pays When Remediation Goes Wrong? A Federal Court’s Evaluation of Contractor Liability” [Lexology](#) 26 March 2020

Doherty B “Rio Tinto accused of violating human rights in Bougainville for not cleaning up Panguna mine” [The Guardian](#) 31 March 2020 – see a Human Rights Law Centre Melbourne [study](#) “After the Mine” in this regard [Legalbrief 2 April 2020]

Ambrose J “Government set to make decision on UK's largest coalmine” [The Guardian](#) 1 April 2020

Hiller J “Oil pipeline, producer standoff prompts new call for Texas shale curbs” [Reuters](#) 30 March 2020

- **Water, waste, oceans and chemicals**

“Judge Lifts Limited Use of Ethylene Oxide at Georgia Plant” [Bloomberg](#) 1 April 2020

“Ninth Circuit to Review Montana’s Nutrient Variance Approach: What You Need To Know” [Lexology](#) 26 March 2020

“Public Comments Due on EPA’s Draft Stormwater Permit for Industrial Activities” [Lexology](#) 28 March 2020

“U.S. Court of Federal Claims Rules on Takings Claims Against Dam Owners Stemming from Flooding During Hurricane Harvey” [Lexology](#) 24 March 2020

Male A “Monopoly houses, toy soldiers and Lego: the museum of plastic lost at sea” [The Guardian](#) 4 April 2020

Laughland O and Holden E “In the most polluted part of America, residents now battle the US's biggest plastic plant” [The Guardian](#) 1 April 2020

Ravillious K “Terrawatch: plastic-rich canyons forming in the deep ocean” [The Guardian](#) 31 March 2020

- **Miscellaneous**

“Supreme Court clarifies that relevant contractual provisions can supersede Environmental Code” [Sweden] [Lexology](#) 30 March 2020

Dryden J “Citing pandemic, Alberta suspends environmental reporting rules” [CBC](#) 2 April 2020

Dalton J “Coronavirus lockdowns worldwide make Earth's crust move less, scientists find” [The Independent](#) 3 April 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

Educon: Law Lecturer Durban

Closing date: 6 April 2020

More [information](#)

Damelin: Law Lecturer (Damelin Overport)

Closing date: 6 April 2020

More [information](#)

Candidate Attorney Position – Port Elizabeth

More [information](#)

International

Two ERC Doctoral Scholarships 2020: PROPERTY[IN]JUSTICE

Closing date/time: Friday, 15 May 2020 5pm (Ireland)

PhD commence: September 2020 in Sutherland School of Law, UCD, Ireland

Stipend: €22,000 per annum Fees covered: up to non-EU rate

Two doctoral scholarships are available as part of a new ERC-funded project entitled Land, Property and Spatial Justice in International Law, based at the Sutherland School of Law, University College Dublin.

The successful candidates will have the opportunity to participate in an interdisciplinary and comparative research project investigating how international law facilitates justice and injustice through its treatment of land as property. The two PhDs will deal respectively with 1) international investment law and 2) international environmental law.

Project Description

Globalization has significantly affected the ways in which communities in many parts of the world interact with and access land and resources – from changing farming patterns due to international trade agreements, to collective tenure and customary rights in landscapes that are simultaneously the location of large-scale resource extraction projects. At the same time, normative developments in the field of human rights and environmental protection provide for the recognition of communities' rights to ancestral and communal lands, as well as the free, prior and informed consent of communities in order to conduct activities on such lands. Yet the abstract notion of 'property' rights in international investment law (land as commercial asset) often collides with the 'lived-in' property rights of people and communities on the ground. Property has long been an important issue in international legal ordering but despite its centrality, its impact on people-place relations remains under-scrutinized in the international law scholarship.

The PROPERTY[IN]JUSTICE team will scrutinize the concept, definition and interpretation of property rights across international law in relation to land. They will not only examine the international human rights, environmental and cultural heritage law frameworks, but also specific areas of international economic law, including investment, that converge and diverge with spatial justice in the realm of land-based projects and policies. Lastly, the project will also ascertain to what extent a reconceptualization of property can contribute to transforming international law from 'tool of empire' to vehicle for change.

Description of PhD Scholarships

The first PhD position (ref- PROPERTY[IN]JUSTICE PhD1) will focus on analysing the way in which international investment law facilitates the treatment of land as commodity (commercial property) as well as the leverage it provides in the spheres of human rights and environmental protection. An important aspect of this project is socio-legal research into the operation of investment treaties entailing competing claims to land. States have increasing obligations to ensure that land tenure and environmental standards are not adversely affected by investment, but to what extent are these considered in investment treaties? And what are the barriers to and/or scope for including them in the future? The successful candidate for PhD1 has a Masters degree in law and preferably also some background in other social sciences. Research experience in international investment law and/or land rights may be an added benefit.

The second PhD position (ref-PROPERTY[IN]JUSTICE PhD2) will focus on the procedural rights relating to land as natural and cultural environment. While the law is crystallising in this area, the impact of procedural environmental rights is still largely unexplored in relation to land-based projects and policies. It is envisaged that PhD2 will examine the extent to which normative developments have affected change on the ground. To what extent can procedural rights protect common interests in collectively tenured land, landscapes or commons more broadly? Can procedural rights make up for the social deficit of property rights in land-based policies and programmes? The successful candidate for PhD2 has a Masters degree in law and preferably also some background in other social sciences. Research experience in procedural rights or environmental justice may be an added benefit.

Both PhD projects envisage some socio-legal research involving the analysis of case studies (land disputes) in Europe, Africa and Latin America. The candidates must therefore be willing to carry out fieldwork in years 2 and 3 of the project. Prior experience in ethnographic, sociological or socio-legal methods may be an advantage.

The project is led by Dr [Amy Strecker](#), who will act as supervisor to the successful candidates.

The scholarships will provide tuition fees at up to the non-EU rate and a yearly stipend of €22,000. Funding will also be available to cover fieldwork and dissemination during the course of the project.

The scholarships are tenable for a maximum of four years, renewable each year subject to satisfactory progress. The scholarships are available to full time students commencing their doctoral studies in September 2020.

The scholarships are open to Irish, other EU and international applicants.

Application Process

Please complete an on-line University Postgraduate application available [here](#) by the deadline.

Please also send a cover letter (max. 2 pages) explaining why you wish to undertake a PhD as part of this project at the UCD School of Law, and a short research proposal (max. 5 pages) outlining two potential case studies in either Africa, Latin America or Europe.

To note: the case studies, which will involve field visits and interviews, may include – but are not limited to – land disputes between local communities and large-scale investment (i.e. either investor state-arbitration / national cases invoking international law). NB. The jurisprudence of the Inter-American Court of Human Rights dealing with the right to property is already being covered and need not form the basis of any research proposal for the PhD positions.

Interested applicants may contact [Dr Strecker](#) to request further information about the project.

In addition to the cover letter and research proposal you must submit the following documents:

1. A recent sample of the candidate's academic writing.
2. Two academic references: Please note that it is your responsibility to contact your referees to ensure that references are received before the closing date/time for this scholarship.
3. Applicants whose first language is not English must submit satisfactory evidence of competence in written and spoken English, i.e. overall IELTS 6.5 (including a minimum of 6.5 in the reading and writing parts and no part below

6.0) or 90 in the TOEFL iBT (with a minimum of 22 (reading) and 24 (writing) and no part below 20.) The test results must be less than 2 years old.

4. All academic transcripts.

The cover letter, research proposal and above documents can be sent as email attachments to Ms. [Niamh McCabe](#), Graduate Programme Manager, Sutherland School of Law, UCD: If you have queries on the scholarships please contact Ms. McCabe.

Late applications will not be accepted for the scholarship.

Five PhD opportunities on carbon pricing policies, University of Leuven – Various Locations (also Africa)

More [information](#)

Senior policy manager, Iberdrola – Brussels

More [information](#)

UN International Organisation for Migration: Regional coordinator

Closing date: 14 April 2020

More [information](#)

USA Fullbright Student Scholarships

Closing date: 20 April 2020

More [information](#)

CHINA: Renmin University Master of Contemporary Chinese Studies Scholarship (also Chinese Law)

Closing date: 30 April 2020

More [information](#)

UNESCO: UNESCO/Poland Co-Sponsored Fellowships Programme in Science, Technology and Engineering 2020

Closing date: 10 April 2020

More [information](#)

In this time of Covid-19 we would like to wish you and your dear ones well. All over the world associations are cancelling conferences, workshops etc.

We would like to keep in touch, finding new ways to keep in contact and we shall update you soon in this regard.

In the meantime, keep in contact via our Newsletter, Website and Facebook.

University applications invited: *Annual ELA Environmental Law Excellence Prize for Top Academic Performance in Undergraduate LLB Environmental Law Module*

Faculties and Schools of Law in South Africa are invited to apply to the ELA for financial support towards an annual prize for the top academic achiever in the undergraduate (LLB) environmental law module. This offer is open to all universities in the country that presents Environmental Law as a LLB module.

Applications may be directed to: [Anel du Plessis](#) and [Saritha Marais](#)

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 15

10 April 2020

2019-2020 STUDENT ESSAY COMPETITION

Submission date **Extended to 30 April 2020**

The ELA Essay Competition is open to any student who is enrolled at a South African higher education institution (including undergraduate and postgraduate programs) or was enrolled in the year prior to submission, but has since completed his/her studies. Evidence of enrolment as a student must be submitted along with the essay. For the purposes of this Essay Competition, a 'South African higher education institution' is such an institution as defined in the Higher Education Act 101 of 1997. Submissions will be considered in two categories: (i) under graduate students and (ii) post-graduate students.

More [information](#)

Covid-19 crisis: 'Nature's response to our arrogance'

'We are at a fulcrum. Given the way we have managed life on this planet over the past 150 years, some sort of disaster was inevitable. We have overdrawn on the bank of our futures. We have exhausted the planet's goodwill. There are those who speak of the current pandemic as nature pressing the reset button, nature speaking back at humanity for the unthinkable ways in which we have abused and depleted her. They see it as nature's response to our arrogance.'

– Nigerian novelist Ben Okri [IBA Legalbrief 6 April 2020]

DIRECTIVES

Directives by the Chief Magistrate of Cape Town in Relation to Covid-19 and the New Directives Issued by the Minister Dated 30 March 2020 [2020] [ZARMC](#) 1 (30 March 2020)

NOTICES

Customs and Excise Act 91 of 1964 - GN R458 in GG 43222 of 9 April 2020 - Rules amended with effect from 23 March 2020 to provide for the exemption of foreign-going ships from the payment of duty on stores consumed on such ship in any port in the Republic or between any places in the Republic for the duration of national state of disaster

Disaster Management Act 57 of 2002

- Gen Notice 240 in GG 43216 of 8 April 2020 - Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended
- GN 451 in GG 43209 of 6 April 2020 - Electronic Communications, Postal and Broadcasting Directions published in GN 417 in GG 43164 of 26 March 2020 amended
- GN 457 in GG 43217 of 8 April 2020 - Health directions to address, prevent and combat the spread of COVID-19 in South Africa
- GN 453 in GG 43211 of 7 April 2020 - Department of Transport: Declaration of essential services
- GN 454 in GG 43212 of 7 April 2020 - Directions determining extension of the validity period of operating licence and accreditation certification for public transport operators for purposes of the COVID-19 lockdown
- GN R459 in GG 43224 of 9 April 2020 - Directions regarding call centres providing essential services
- GN 453 in GG 43211 of 7 April 2020 - Directions regarding Sea Cargo Operations and Air Freight Operations
- GN 453 in GG 43211 of 7 April 2020 - National Ports Act (COVID-19 Restrictions on the Movement of Persons and Crew) Directions, 2020 published in GenN 216 in GG 43163 of 26 March 2020 amended
- GN 454 in GG 43212 of 7 April 2020 - Public Transport Services Directions, 2020 amended
- GN R450 in GG 43208 of 6 April 2020 - SMME Directions on the provision of essential goods and services
- GN R455 in GG 43213 of 7 April 2020 - Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended
- GN 460 in GG 43225 of 9 April 2020 - Directions in correctional centres and remand detention facilities
- GN 461 in GG 43226 of 9 April 2020 - Directions: Extension of term of office of councils and boards of public entities and suspension of sport, arts and cultural events
- GN 450 in GG 43209 of 6 April 2020 - Small Business Development directions on implementation of provisions relating to essential services during Coronavirus COVID-19 lockdown
- GN

Competition Act 89 of 1998 – GN R456 in GG 43215 of 8 April 2020 - Expansion: Scope of COVID-19 block exemption for health care sector

Juta and Company is providing free access to [COVID-19 Legislation updates](#), categorised in an understandable manner so that you are kept up to date on changes as they are made by government and other entities.

INTERNATIONAL

Basel, Rotterdam and Stockholm Conventions [Communication](#): “Compilation of guidance on medical waste emergency management and disposal” 20 March 2020

CASES

National

MTEC Rustenburg and Others v Capricorn District Municipality (743/2018) [2020] [ZASCA](#) 36 (6 April 2020)

Summary: Reconsideration of an order refusing special leave to appeal by two judges of the Supreme Court of Appeal (SCA) in terms of s 17(2)(f) of the Superior Courts Act 10 of 2013 – joint tender – waste facility

International

Centre for Biological Diversity et al v Ross and Massachusetts Lobstermen's Association et al [Case No 18-112](#) (JEB) United States District Court for the District Columbia Decided 9 April 2020

“So named because for centuries they were easy to kill and strip for blubber, North Atlantic ‘right’ whales have been hunted to the edge of extinction. One of the first animals to be protected under the Endangered Species Act, the population nonetheless hovers perilously around 400, fewer than 100 of which are breeding females. The largest modern threats to this species are ship strikes and fishing-gear entanglement, each of which also makes the whales more susceptible to the other. In 2014, Defendant National Marine Fisheries Service produced a Biological Opinion finding that, despite its potential to harm the species in unsustainable numbers, the American lobster fishery would not jeopardize the continued existence of the North Atlantic right whale. In so finding, however, the Service failed to include an ‘incidental take statement’ as required under the Act. In response to this suit brought by four conservation groups, the Court now concludes that the agency’s reasons for this signal omission are unavailing. It will thus hold the 2014 Biological Opinion to be illegal under the Endangered Species Act and will order briefing as to further remedies.” [See also **News** - International - Biodiversity]

PUBLICATIONS

National

Vinti C “The right to mine in a ‘protected area’ in South Africa : Mining and Environmental Justice Community Network of South Africa v Minister of Environmental Affairs - case note” 2019 [South African Journal on Human Rights](#) 35(3): 311-322

International

Gerrard MB and McTiernan E “Governor Cuomo Proposes \$3 Billion ‘Restore Mother Nature’ Bond Act” 2020 March [New York Law Journal](#)

Burger M, Wentz J and Horton R “The Law and Science of Climate Change Attribution’ 2020 45 [Colum. J. Envtl. L.](#) 57

Gerrard Michael B “Direct Air Capture: An Emerging Necessity to Fight Climate Change” 2020 March/April [Trends](#) (ABA Section of Environment, Energy, and Resources)

Gerrard Michael “A Law Professor Investigates the Legal Decision to Regulate U.S. Greenhouse Gases” 2020 [Science](#) March 3

Special symposium issue: Third, Monmouth University Climate Change, Coasts, and Communities symposium (April 2019) 2020 10(1) [Sea Grant Law and Policy Journal](#)

Glicksman RL and Camacho AE “The Trump Card: Tarnishing Planning, Democracy, and the Environment” 2020 50(4) [Environmental Law](#) February 21

Osofsky SA “The Global Burden of (How We Manage) Animal Disease: Learning Lessons from Southern Africa” 2019 [Journal of Wildlife Diseases](#) 755-757

Atkinson SJ *et al* “Gap Analysis on the Implementation of Commodity-Based Trade of Beef in Ngamiland, Botswana” (AHEAD [Report](#) 2019)

Damschen EI *et al* “Ongoing Accumulation of Plant Diversity Through Habitat Connectivity in an 18-Year Experiment” 2019 [Science](#)

Branco PS *et al* “An Experimental Test of Community-Based Strategies for Mitigating Human–Wildlife Conflict Around Protected Areas” 2019 [Conservation Letters](#)

Osofsky SA *et al* (eds) *Conservation and Development Interventions at the Wildlife/Livestock Interface: Implications for Wildlife, Livestock and Human Health* (IUCN, Gland, 2005) ([downloadable](#) PDFs of whole book/each section)

Coleman JW “State Cartels” [SSRN](#) 2 April 2020

Camacho A “Bulldozing Infrastructure Planning and the Environment through Trump’s Executive Order 13807” 2020 91 [U. COLO. L. REV.](#) 513, 539-41

Solutions for Our Climate “Status of renewable energy in South Korea” ([Report](#) 2020)

Lahusen C *Citizens’ Solidarity in Europe - Civic Engagement and Public Discourse in Times of Crises* (Edward Elgar 2020 [Open access](#))

Koffi EN *et al* “An observation-constrained assessment of the climate sensitivity and future trajectories of wetland methane emissions” 2020 6(15) [Science Advances](#) DOI: 10.1126/sciadv.aay4444

Conti-Jerpe IE *et al* “Trophic strategy and bleaching resistance in reef-building corals” 2020 6(15) [Science Advances](#) DOI: 10.1126/sciadv.aaz5443

Vollan B *et al* “Procedural fairness and nepotism among local traditional and democratic leaders in rural Namibia” 2020 6(15) [Science Advances](#) DOI: 10.1126/sciadv.aay7651

Adebiyi AA and Kok JF “Climate models miss most of the coarse dust in the atmosphere” 2020 6(15) [Science Advances](#) DOI: 10.1126/sciadv.aaz9507

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Natural Justice](#): “The launch of the Rooibos BCP: A new beginning” 3 April 2020 / find Afrikaans version [here](#)

[Mail & Guardian](#): Kings S “Nature thrives in our distancing during the lockdown” 8 April 2020

- **Local government**

[Daily Maverick](#): Sole S “#Earthcrimes (Part One): Limpopo’s dirty great white elephant” 7 April 2020 [Legalbrief Forensic 9 April 2020]

[amaBhungane](#): Sole S “#Earthcrimes – The dirty white elephant part 2: Limpopo – the dodgy designation” 8 April 2020

[amaBhungane](#): Sole S “#Earthcrimes – The dirty white elephant part 3: Limpopo – the weakest link” 9 April 2020

[Daily Maverick](#): Sole S “#EarthCrimes – The dirty white elephant, Part Four: Caution, environmental hazard” 9 April 2020

- **Mining**

[Lexology](#): “Overview and outlook: mining law in South Africa” 9 October 2019

[Lexology](#): “Diesel Rebate Cases in the High Court - Implications for Mining Operations in South Africa” 26 March 2020

- **Water, sanitation, oceans and chemicals**

[Global Africa](#): Sibanyoni J “Rethinking water usage and stormwater management” April 2020

Breede-Gouritz Catchment Management Agency [website](#)

[The Conversation](#): Samson M “South Africa’s response to COVID-19 worsens the plight of waste reclaimers” 1 April 2020 [Legalbrief Environmental 7 April 2020]

- **Miscellaneous**

[CER](#): “Minister of Environment, Forestry and Fisheries publishes Environmental Directions – environmental timeframes extended until after lockdown period” 31 March 2020 [Legalbrief 8 April 2020]

[Lexology](#): “COVID-19 South Africa: Impact on Corporate Governance Procedures” 6 April 2020

[Webber Wentzel](#): “Tracking Sub-Saharan Africa’s Response to Covid-19” 9 April 2020

Africa

- **Biodiversity, protected areas and culture**

Natural Justice: “Cameroon’s Mintom communities improving strength in diversity through a community protocol” 6 April 2020 – find French version [here](#)

[Youtube](#): Beauty and the Beef - Achieving Compatibility Between Wildlife Conservation and Livestock Production

[Youtube](#): The African Vulture Crisis: Causes, Consequences, and Solutions (English version)

[allAfrica](#): Sirleaf AJ and Koroma EB “Africa: When Biodiversity Fails, Human Health Is On the Line” 6 April 2020

[allAfrica](#): Frölich F “Africa: What Happened to Africa's Ambitious Green Belt Project?” 6 April 2020

[allAfrica](#): Sundaram JK “Africa: Green Counter-Revolution in Africa?” 7 April 2020

[BBC](#): Coronavirus: Great apes on lockdown over threat of disease” 10 April 2020

- **Climate change and energy**

[allAfrica](#): Win TL “Africa: Climate Disasters Seen Increasing Conflict Risk in Large Countries” 2 April 2020

- **Mining**

[Lexology](#): “Resource nationalism is both cyclical and contagious” 2 April 2020

[Extractives Baraza](#): Kerecha G “Glencore to Shut Copper Mines in Zambia” 8 April 2020

[BusinessLive](#): Steyn L “Glencore draws Zambian government’s ire as it places copper mines on care and maintenance” 7 April 2020

- **Water, waste, oceans and chemicals**

[New Zimbabwe](#): Tapfumaneyi R “Residents’ victory as court orders Harare city to deliver clean water daily” 2 April 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “African Ministers Outline Responses to COVID-19, Identify Needs to IFIs” 9 April 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “ESCAP Reviews COVID-19 Impacts, Recommends Regional Actions” 9 April 2020

International

- **Biodiversity, national parks and culture**

[Business Insider](#): Montanari S “Epidemiologists have been warning of a coronavirus outbreak for years and say that another pandemic will happen again” 25 March 2020 [

Excelsior [Podcast](#): Osofsky SA “S2. Ep. 5: The Wildlife Origins of SARS-COV2 and Employing a One Health Approach” 3 April 2020

[Lexology](#): “Monarch Butterfly Conservation Agreement Takes Flight” 9 April 2020

[The Guardian](#): Bellsham P “Easter in lockdown and a pelican on patrol: Good Friday's best photos” 10 April 2020

[The Guardian](#): Evans I “‘Really amazing’: scientists show that fish migrate through the deep oceans” 1 April 2020

[The Guardian](#): Watts J “Tolkien was right: giant trees have towering role in protecting forests” 9 April 2020

[The Independent](#): “Endangered snow leopard calls out to mark territory in 'extremely rare' video” 9 April 2020

[The Independent](#): Boyle L “Indigenous communities fear being 'wiped out' by coronavirus and fight with scant resources amid lack of government support” 9 April 2020

[The Independent](#): Boyle L “Himalayas seen for first time in decades from 125 miles away after pollution drop” 9 April 2020

[The Independent](#): Cockburn H “Planting trees in wrong place 'could increase greenhouse gas emissions', government warned” 9 April 2020

[The Conversation](#): Trigos C and Pigot C “Climate change could cause abrupt biodiversity losses this century” 9 April 2020

- **Climate change and energy**

Sabin Centre Climate Law Blogs

- Webb R “[EPA's COVID-19 Policy Will Further Restrict Public Access to Climate Data](#)” 1 April 2020
- Aidun H and Metzger D “[Public Participation in the Coronavirus Age](#)” 30 March 2020
- Turner A “[Cities, Climate & COVID-19](#)” 26 March 2020
- Aidun H and Libby M “[Juliana in the World: Comparing the Ninth Circuit's Decision to Foreign Rights-Based Climate Litigation](#)” 13 March 2020
- Metzger D and Aidun H “[Major Developments in International Climate Litigation in Early 2020](#)” 12 March 2020
- “Aidun H and Libby M “[Juliana in the World: Comparing the Ninth Circuit's Decision to Foreign Rights-Based Climate Litigation](#)” 13 March 2020
- Biniaz S “[Returning to Paris: The Next U.S. 'NDC'](#)” 11 March 2020
- Kurtz L “[New Guides to the Scientific Integrity Policies of Federal Agencies](#)” 6 March 2020

Energy Tradeoffs [Podcast](#): Coleman James “Restricting Energy Production & Flaring” 3 April 2020

[Carbon Brief](#): “The Carbon Brief Profile: South Korea” 6 April 2020

[The Guardian](#): Carrington D “New renewable energy capacity hit record levels in 2019” 6 April 2020

[Climate Nexus](#): “Unexpected Surge in Atmospheric Methane”

[ClimateWire](#): Hijazi J “‘We’re the virus.’ How eco-fascism hurts climate action” 8 April 2020

[EU](#): “Consultation on the renewed sustainable finance strategy” 8 April 2020

[Lexology](#): “Narragansett Tribe seeks reconsideration of D.C. Circuit ruling” 31 March 2020

[The Hill](#): Czarnezki JJ “Lessons from the climate and COVID-19 crises” 9 April 2020

[Carbon Pulse](#): “*New Podcast*: Carbon Pulse Conversations” [subscription needed]

[CarbonBrief](#): “Analysis: Coronavirus set to cause largest ever annual fall in CO2 emissions” 9 April 2020

[CleanEnergyWire](#): Wettengel J “Greens call for clarity on ETS allowance cancellations during German coal exit” 9 April 2020

[The Guardian](#): Harvey F “VW installed ‘defeat devices’ to subvert emissions tests, high court finds” 6 April 2020

[The Guardian](#): Ambrose J “Households to be paid for daytime green electricity use during lockdown” 5 April 2020

- **Local government**

[ICLEI](#) CityTalk: Bizzotto M “Adopting and adapting sustainable approaches: China’s social and environmental transformation” 6 April 2020

[ICLEI](#): Roberts K “Pressing Forward: Local Government Climate and Sustainability Staff Speak to Uncertainty Amid Global Health Crisis” 24 March 2020

[Lexology](#): “California Cities Seek Relief From Project Processing, Public Records Act, and Other Key Statutory Timelines During State of Emergency Resulting From COVID-19” 6 April 2020

[Lexology](#): “Planning Agreements: Executing Deeds - Reforms, for the New Normal” 7 April 2020

[Lexology](#): “The show must go on - NSW announces Planning System Acceleration Program in response to COVID-19” 3 April 2020

- **Mining**

[Mining Weekly](#): “Brazil mining regulator orders closure of 25 Vale dams” 3 April 2020

[Lexology](#): “COVID-19: Expenditure Relief for WA Mining Companies” 3 April 2020

- **Water, oceans, waste and chemicals**

[ICLEI](#) CityTalk: Parvez S “Nepalese communities grapple with upstream-downstream water management challenges” 6 April 2020

[Lexology](#): “Companies must comply with California Water Resources Control Board orders and requirements during COVID-19 emergency” 25 March 2020

[IISD](#) SDG Knowledge Hub: Hestad D “Shipping Partnership Advances Waste Management in Pacific Islands” 7 April 2020

[IISD](#) SDG Knowledge Hub: Wagner L “UN-Water [Compendium](#) Offers Resources to Fight COVID-19” 7 April 2020

- **Miscellaneous**

[The Times of India](#): Osofsky S “Preventing the Next Pandemic: We Can Make This a 'Never Again' Moment” 7 April 2020 [AHEAD Update, 2020 (No. 1) - COVID-19 Special Edition]

[INECE](#): “That's a Wrap! 2020 AELERT-INECE Conference” 30 March 2020

[EURactive](#): Schulz F “Environmental law expert: Detecting environmental crime is quite a problem” 26 March 2020

CPR's Connect the Dots [Podcast](#): Verchick R “One Doctor's Life in the Time of Coronavirus.

[Green Economy Media](#): The Responsible and Sustainable Tourism Handbook - South Africa Volume 8 The Essential Guide (9 April 2020)

[Lexology](#): “Environmental enforcement: What happens when the COVID-19 pandemic is over?” 7 April 2020

[Lexology](#): “Environmental red flags when considering the purchase of distressed assets” 2 April 2020

[Lexology](#): “Recent California court of appeal decision clarifies administrative agencies' broad subpoena power” 27 March 2020

[Lexology](#): “Managing environmental compliance in the time of COVID-19” [UK] 7 April 2020

[Lexology](#): “COVID-19 Emergency Measures - Development Orders” [Australia] 5 April 2020

[Lexology](#): “Business as (Un)usual in BC: EMA Authorization and Compliance Requirements Remain in Effect during the COVID-19 Pandemic Response” [British Columbia] 6 April 2020

[Lexology](#): “NJDEP Proposes Major Revisions to Remediation Standards” [New Jersey] 8 April 2020

[Lexology](#): “Alberta Suspends Routine Environmental Reporting Requirements” 3 April 2020

[The Jurist](#): Frye BL and Zubizarreta T “It’s Time for Universal Diploma Privilege” 6 April 2020

[Lexology](#): “Inwerkingtreding Omgevingswet uitgesteld vanwege Corona” [Netherlands] 2 April 2020

[IISD](#) SDG Knowledge Hub: Meuleman L “It Takes More Than Markets: First Governance Lessons from the COVID-19 Pandemic” 8 April 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Virtual UNECE Forum Recognizes Need for Accelerated SDG Progress” 7 April 2020

[IISD](#) SDG Knowledge Hub: Fishman A “Dag Hammarskjöld Foundation Paints Picture on Art of UN Leadership” 7 April 2020 – link to report [here](#)

[IMF](#): Policy responses to Covid-19 tracker

[Export Forum](#): Mintz JA “Trump’s EPA Uses the Coronavirus Crisis to Mask Environmental Deregulation and Suspend Enforcement” 7 April 2020

[DrilledNews](#): Westerfeld A “The Climate and Environmental Rules Being Rolled Back During the COVID-19 Pandemic” 6 April 2020

[The Guardian](#): Ravilious K “Awakening volcanic region in Iceland 'could cause disruption for centuries’” 10 April 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date!

Date: 3-5 September 2020

Place: Gauteng

More information will follow – applying the precautionary principle, the conference will only proceed if Covid-19 measures are no longer in place

Imbewu: Renewable Energy Online Workshop

Date: May 2020

Due to the recent COVID-19 outbreak, IMBEWU is offering an online training workshop on the environmental legal processes applicable to renewable energy projects.

Please see the [course programme](#) for further information.

IMBEWU will present the course online along with video recordings, power point slides and resource materials. Course participants will also be given the opportunity to, via email, direct any questions relating specifically to the content of the workshop to the course presenter, who will respond via return email within 24 hours of receipt of the query.

The course material will be available for subscription in May 2020. Once full payment has been made, the course participant will be provided with a weblink, username and password to access the course material for a limited period of time, as well as detailed instructions on how to access the material. Please email the [booking form](#) to [Lulu](#) or call us on 011 214 0660 for more information

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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 Zululand: 2020 MBALI International conference: Shifting global paradigms: Unleashing Africa's potential – save the date

Dates: 9-11 September 2020

Sub themes: Contemporary topics on Management, Business, Administrative and Legal initiatives

More information will follow

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

The call for papers and the registration for the 2020 Private Law and Social Justice Conference is open. This is the twelfth year that the conference will be held. Over the years we have welcomed conference delegates from all over the country. The programme will be made available on the website once the call for papers has closed.

You may find information regarding the call for papers and registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Call for abstracts

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

University of Johannesburg, SAIFAC and Animal Law Reform South Africa (ALRSA): Legal Evolution and the New Rights Revolution: Expanding the Sphere of Protection to Animals and the Environment

Date: 3 and 4 December 2020

Place: Johannesburg, South Africa

Abstracts (In Word document not more than 500 words) by 20 April 2020 to [Amy Wilson](#)

Full papers: 15 November 2020

SAEEEC 15th Conference

Date: 5-6 November 2020

Place: Farm Inn Silverlakes Pretoria

After the success of the 2019 SAEEEC Conference topics, and the responses we had to the papers presented at the conference, the SAEEEC welcomes abstracts covering discussion themes in resource sustainability for submission:

- Strategies for environmental change: Government activities, all about carbon, funding, grants, incentives, policies
- Energy nexus links: Energy, Water, Transport, Food
- Sustainable generation and distribution: Renewable energy sources, alternative generation, smart grids, storage
- Fourth Industrial Revolution and Energy: Internet of Things (IoT), Technologies, Industrial Energy Management
- The business of energy businesses: Energy Services, Project Management, Business Finance, Business cases for energy, Marketing, PR, Writing Skills, this will also include products

Deadlines for abstracts: 23 July 2020

[Submission](#) of abstracts

International

IUCNAEL 2020 Colloquium - The future of Environmental Law: Ambition and Reality - ~~Postponed to 2021~~

Dates: 6-10 July 2020

Place: Groningen, Netherlands

IUCNAEL 2020 Colloquium: Workshop, Sponsored by the Research Committee of the IUCN Academy of Environmental Law - ~~Postponed to 2021~~

Date: 7 July 2020

Environmental Law Institute, Community Lawyering for Environmental, Climate Justice and American University Washington College of Law Co-Sponsored Webinar Workshop: Community Lawyering for Environmental and Climate Justice

Date: April 17, 2020

Time: 2:00PM – 4:00PM (Washington)

[Registration](#)

Webinar presentations on book *Climate Change and the Voiceless: Protecting Future Generations, Wildlife, and Natural Resources* (Cambridge University Press 2019)

Dates: 8 or 13 April 2020

April 9 – McGill University, Faculty of Law: find information [here](#)

Apr. 13 -- Pace University School of Law – find link [here](#)

Meeting ID: 171 918 019 and Password: 032389

[RSVP](#)

Webinar: Environmental Law Institute book launch panel for the Second Edition of *What Can Animal Law Learn from Environmental Law?* (ELI Press, forthcoming May 2020)

Date: 12 May 2020

The event description and registration information appears in the [link](#)

Live Webinar: Climate Change: How Bad Will it Be, and What Must be Done? Inter-Disciplinary Panels of Leading Experts Answer these Questions on the 50th Anniversary of Earth Day

Date: Wednesday, April 22, 2020 | 9:00 am – 1:15 pm (New York time)

Please Note: All attendees will receive an email confirmation including a zoom invite 48 hours prior to the program with details of how to access the webinar.

Program Fees: Free to City Bar and NYSBA members | \$15 for non-member attorneys | Free to the public.

Members of the NYSBA and non-lawyers please call Customer Relations at 212.382.6663 to register.

More [information](#)

Free Environment Energy and Natural Resources (EENR) Center in association with the Center for U.S. and Mexican Law of University of Houston Law Center Webinar: The Energy Transition in A Climate Constrained World. An Integrative Approach in Global Energy Law and Policy Issues?

Date: 17 April 2020

Time: 9:00 a.m. to 12:30 p.m. (CDT)

Register here: [Registration](#)

More information: [here](#)

ICLEI 9th European Conference on Sustainable Cities & Towns

Date: 30 September - 02 October 2020

Place: Mannheim, Germany

More [information](#)

Webinar: Clean Energy Ministerial CCUS Initiative: Direct Air Capture of CO₂

Date: Tuesday 21 April 2020

Time: 07:00 PDT / 10:00 EDT / 16:00 CET.

[Registration](#)

University of Houston Law Centre: 1st Annual Conference: Global Energy Transition Law and Policy

Date: 17 April 2020

Time: Houston, TX 9:00a.m. - 12:30p.m. (CDT)

[Registration](#)

IWRA Online Conference: Addressing Groundwater Resilience under Climate Change

Date: 29-30 October 2020

More [information](#) will be released later on the website

Vermont Law School Webinar: Implications of Implicit Racial Bias for Environmental Justice

Date: 16 April 2020

Time: 4:00 - 5:15 PM (Vermont time)

This lecture is free and open to the public.

Register [here](#).

WECLN: Private Actors, Climate Change & Energy Transition - Virtual Workshop

Date: June 2020

We are going ahead with a virtual online workshop to replace the legal research workshop planned for June 2020 at the Monash Prato Centre – *Private Actors, Climate Change and Energy Transition* – and to invite your participation. Video presentations will be pre-recorded and available via a website for a few weeks prior to a series of online meetings in mid-late June to discuss presentations.

We have an interesting line up already, but would really love to have a few more contributors. Please get in touch if you would like to contribute a short video presentation on the workshop themes (and send an abstract if possible by **17 April**):

- Strategic climate litigation targeting private actors – including climate accountability, human rights and corporate and investment law claims;
- Legal and policy reform agendas to recast the role of private actors in relation to climate change and other environmental and social issues – including the EU Action Plan on Sustainable Finance, European Green Deal Investment Plan and similar initiatives around the world;
- Private governance initiatives – including climate risk disclosure models such as the Taskforce on Climate-related Financial Disclosures and investor-led engagement programs such as Climate Action 100+; and
- Empirical research on corporate, investor and financier behaviour on climate change and energy transition.

NEWS

National

- **Biodiversity, protected areas and culture**

Du Toit L “Covid-19: Worldwide call for ban on wildlife markets” [GroundUp](#) 9 April 2020

- **Climate change and energy**

Carnie T “No more secrecy,’ says Creecy, ordering disclosure of climate gas records from SA’s Big Polluters” [Daily Maverick](#) 9 April 2020

West E “Strategic Fuel Fund has no spare storage capacity to lease out” [IOL](#) 8 April 2020

- **Local government**

Chirume J “Covid-19: Protest action threatened as informal traders receive “preferential” treatment - Some PE residents angry over food parcel distribution to hawkers” [GroundUp](#) 10 April 2020

Chiguvare B “Covid-19: Spaza shop owners under pressure to stay open after hours” [GroundUp](#) 10 April 2020

Mutandiro K “Covid-19: Residents lend a helping hand to waste picker in Benoni” [GroundUp](#) 9 April 2020

Smit S “Waste pickers reclaim their power” [Mail & Guardian](#) 8 April 2020

Thebus S “Hydroponic food gardening system can help feed communities” [IOL](#) 10 April 2020

Kinver M “Cities struggling to boost urban tree cover” [BBC](#) 10 April 2020

- **Mining**

Stoddard E “SA mining industry, government and unions ‘agree to sector reboot from 16 April”’ [Daily Maverick](#) 8 April 2020

“Too early to comment on when mining will resume – Minerals Council” [Mining Weekly](#) 9 April 2020

Njini F “Cleared in 24 hours, but to reopen world’s deepest mines ‘the queue’s going to be 40km long”’ [Biznews](#) 9 April 2020

Yeld J “‘New broom’ minister Barbara Creecy raises dust” [GroundUp](#) 8 April 2020

Maeko T “Department warns mines to comply” [Mail & Guardian](#) 8 April 2020

“PTM expects Waterberg mining right to be granted soon after South African lockdown ends” [Mining Weekly](#) 9 April 2020

Slater D “Satellite imaging helps monitoring of remote mining operations” [Mining Weekly](#) 9 April 2020

- **Water, oceans, waste and chemicals**

Waste pickers and fishermen

“Environment, Forestry and Fisheries Minister Barbara Creecy has intervened, notes a Cape Times report. ‘Following consultations with the two main waste pickers’ associations, we have taken a decision to submit a proposal for relief to the National Solidarity Fund. In the interim, to alleviate hunger, we have approached the Consumer Goods Council and its members who are in the process of discussing an intervention that will see the provision of food parcels to waste

pickers as soon as possible,' Creecy said. The Minister is also allowing fishers in the Northern and Western Cape to travel to catch snoek in what is known as 'Zone A'. They must at all times carry their exemption notices and permits issued to small-scale and interim relief fishers with them."

Full Cape Times report (subscription needed) Legalbrief 8 April 2020

Covid-19: Court dismisses waste pickers bid to work

"The Gauteng High Court (Pretoria) has dismissed an application by several groups of waste recyclers in the Tshwane area to be recognised as an essential service and be allowed to continue activities during the lockdown – this despite a passionate plea by the groups that they have no water, no electricity, no firewood and were rapidly running out of food, says a Daily Maverick report. The application was brought by the Mushroomville Bagerezi (hustlers), Mooiplaas/Spruit Bagerezi, Clubview Bagerezi, Airfield Bagerezi and Kloofsig Bagerezi. They wanted the court to declare their recycling as an essential service that is exempted from regulations restricting movement on days that they are working. Lawyers acting for about 250 waste pickers claimed they are faced with the real possibility of starvation if they are not allowed to carry on with their daily recycling and selling. Legal counsellor for the Land and Housing Programme at Lawyers for Human Rights, Thandeka Chauke, said the court dismissed their clients' application, but they have received instructions to appeal the decision. She said they were still awaiting a full judgement by the court as the matter was brought on an urgent basis. In papers before court, one of the waste recyclers, Thebogo Ditshego, said the majority of the so-called *bagerezi* were men and many were foreigners, and this excluded them from any social assistance offered by the government. Most earn between R2 000 and R4 000 a month through their recycling."

Full [Daily Maverick report](#) Legalbrief 9 April 2020

Odendaal N "South Africa's dam levels rise" [Engineering News](#) 9 April 2020

- **Miscellaneous**

Urquhart P "Covid-19 stimulus packages must prioritise the green economy" [Mail & Guardian](#) 8 April 2020

International

- **Biodiversity, protected areas, animal rights and culture**

"Freshwater Pearl Mussel Amendment Regulations 2018 struck down" [Lexology](#) 7 April 2020

"High winds kill thousands of migrating birds in 'disaster' over Greece" [The Guardian](#) 10 April 2020

Standaert M and Zhong J "Bamboo rats left in limbo as breeders push back against China wildlife ban" [The Guardian](#) 9 April 2020

Harvey F "Wildlife destruction 'not a slippery slope but a series of cliff edges'" [The Guardian](#) 8 April 2020

Spring J "Illegal loggers uncowed by coronavirus as deforestation rises in Brazil" [Reuters](#) 10 April 2020

Overton P “Regulators fell short on protecting right whales from lobster industry, judge rules” [Press Herald](#) 10 April 2020

Boyle L “Jane Goodall calls for global ban on wildlife trade and end to ‘destructive and greedy period of human history’” [The Independent](#) 10 April 2020

Boyle L “‘Tone-deaf’: Environmentalists slam Trump’s plan to open 2.3m acres of wildlife refuges for hunting” [The Independent](#) 10 April 2020

Duncan C “Prehistoric monkeys rafted from Africa to South America on floating islands of vegetation, study claims” [The Independent](#) 10 April 2020

- **Climate change and energy**

Brown M “Work starts in Montana on disputed Canada-US oil pipeline” [AP](#) 7 April 2020

Green M “Industry Groups Ask California To Delay Pollution Rules, Citing Pandemic” [Huffpost](#) 6 April 2020

“Virus crisis to test EU resolve for tighter MSR, 2030 emission target –analysts” [Carbon Pulse](#) 8 April 2020

“Canada moves to delay 2019 deadlines for ‘backstop’ large emitter programme” [Carbon Pulse](#) 8 April 2020

“New Mexico, Nevada adhering to climate policy timelines during coronavirus outbreak” [Carbon Pulse](#) 8 April 2020

“Global coal power keeps coming even if almost half is unprofitable –report” [Carbon Pulse](#) 8 April 2020

“U.S. court rejects refiners’ challenge in EPA biofuel waivers case” [Reuters](#) 8 April 2020

Friedman L “New Research Links Air Pollution to Higher Coronavirus Death Rates” [New York Times](#) 7 April 2020

“Cargill-led fund to pay U.S. farmers for carbon capture, exchange credits” [Reuters](#) 9 April 2020

Wise J “Pope says coronavirus outbreak may be one of ‘nature’s responses’ to climate change” [The Hill](#) 8 April 2020

Bullard N “Oil’s belt-tightening is bad news for clean power, too” [IOL](#) 9 April 2020

Dezem V and Wilkes W “Hydrogen power plants get backing from two big German companies” [IOL](#) 8 April 2020

Abnett K and Jessop S “Investors caution cement, steel firms on EU climate lobbying” [Reuters](#) 10 April 2020

Abnett K “Ten EU countries urge bloc to pursue ‘green’ coronavirus recovery” [Reuters](#) 9 April 2020

Wehrmann B “German wind power installations slightly up in early 2020 but still below required levels” [CleanEnergyWire](#) 9 April 2020

- **Local government**

Singh RK and Chakraborty D “World’s dirtiest air gets cleaner after India’s lockdown” [IOL](#) 10 April 2020

- **Mining**

Menges W “Taxman wins appeal over manufacturer status” [The Namibian](#) 7 April 2020

Wast G “Lawmakers introduce \$3 billion bill for emergency oil reserve” [The Jurist](#) 8 April 2020

Hursh A “Trump signs executive order encouraging future exploitation of outer space resources” [The Jurist](#) 7 April 2020

- **Water, waste, oceans and chemicals**

“Coronavirus: German region eases Baltic coast travel ban” [BBC](#) 10 April 2020

“China to ban thin plastic bags, plastic film” [Reuters](#) 10 April 2020

Waldholz R “Environmentalists call for halt to German search for nuclear waste site during coronavirus” [CleanEnergyWire](#) 9 April 2020

- **Miscellaneous**

Gillett T “EU court orders Poland to suspend disciplinary chamber” [The Jurist](#) 9 April 2020

Maltezou R As Greeks lower volume, experts can hear the earth's murmurs” [BBC](#) 10 April 2020

Wehrman B “Green stimulus: what it could look like in the various areas of the economy” [CleanEnergyWire](#) 9 April 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

FSR Lights on Women initiative: Four scholarships

For women around the world pioneering innovative energy solutions, research and initiatives that accelerate the energy transition.

[More information](#)

Varsity College: Lecturer (Independent Contractor): School of Law (x4)

More [information](#)

Closing date: 1 May 2020

University of Johannesburg: Head II: Law Clinic (Attorney) (Half-Day Position)

Closing date: 23 April 2020

More [information](#)

International

[Academic Position in Law](#)

Monash University Faculty of Law

[Academic Position in Law](#)

Macquarie University Law School

[PhD Position in Criminology, Criminal Law and Social Law](#)

Ghent University Department of Criminology, Criminal Law and Social Law

[PhD Position in Environmental Studies](#)

University of Amsterdam Institute for Environmental Studies

[Professor in Criminal Law](#)

Ajman University College of Law

[Adjunct Faculty in Law](#)

University of Dubai College of Law

[Assistant Professor in Law](#)

University of Dubai College of Law

[Lecturer in Law](#)

University of Chicago Law School

[Fellowship in Environmental Law and Policy](#)

University of California Los Angeles School of Law

In this time of Covid-19 we would like to wish you and your dear ones well. All over the world associations are cancelling conferences, workshops etc.

We would like to keep in touch, finding new ways to keep in contact and we shall update you soon in this regard.

In the meantime, keep in contact via our Newsletter, Website and Facebook.

University applications invited: *Annual ELA Environmental Law Excellence Prize for Top Academic Performance in Undergraduate LLB Environmental Law Module*

Faculties and Schools of Law in South Africa are invited to apply to the ELA for financial support towards an annual prize for the top academic achiever in the undergraduate (LLB) environmental law module. This offer is open to all universities in the country that presents Environmental Law as a LLB module.

Applications may be directed to: [Anel du Plessis](#) and [Saritha Marais](#)

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

17 April 2020

22 April 2020
UN International Mother Earth Day
More [information](#)

DIRECTIVES

Directives Issued by Chief Justice Mogoeng in terms of Section 8(3)(B) of the Superior Courts Act 10 of 2013 for the Management of the Superior Courts During the Extended Lockdown Period - [here](#)

Northern Cape Final Directives to be implemented to curb the spread of the COVID-19 pandemic in the District Courts in Administrative Region 10 (Northern Cape) [2020] [ZARMC](#) 3 (9 April 2020)

Further Directive in Respect of Access to the Labour Court During the Period of Lockdown [2020] [ZARC](#) 15 (14 April 2020)

Mpumalanga Indexing and Pagination during the lockdown [2020] [ZARC](#) 24 (9 April 2020)

NOTICES

Disaster Management Act 57 of 2002 - Directions issued in terms of Regulation 10 (8) of the Regulations made under Section 27 (2) of the Act:

- GN R462 in [GG](#) 43227 of 11 April 2020 - Directions issued by Minister of Mineral Resources and Energy - Directions to ensure fair processes, relating to licensing, consultation, appeals and compliance processes and reporting requirements during the lockdown period
- GN R465 in [GG](#) 43232 of 16 April 2020 - 'Lockdown Regulations' issued in terms of s. 27(2) of the Act amended
- GN R463 in [GG](#) 43228 of 14 April 2020 - Afrikaans and Setswana translations of amendments to 'Lockdown Regulations' published in GN R398 in GG 43148 of 25 March 2020, GN R419 in GG 43168 of 26 March 2020 and GN R446 in GG 43199 of 2 April 2020
- GN 464 in [GG](#) 43231 of 15 April 2020 - Water and Sanitation Emergency Procurement COVID-19 Disaster Response Directions, 2020

Electronic Communications Act 36 of 2005 – Gen Notice 244 in [GG](#) 43229 of 15 April 2020 - Independent Communications Authority of South Africa (ICASA): Harmonisation of Short Code '111' for COVID-19 National Emergency Services

INTERNATIONAL

[IUCN](#): “IUCN statement on the COVID-19 pandemic” 8 April 2020 [provided by Niël Lubbe]

[IISD](#) SDG Knowledge Hub: Leone F “UN Bodies Formalize Silence Procedure for Decision-making during Pandemic” 16 April 2020

CASES

National

South Durban Community Environmental Alliance v MEC for Economic Development, Tourism and Environmental Affairs: KwaZulu-Natal Provincial Government and Another (231/19) [2020] [ZASCA](#) 39 (17 April 2020) [provided by Urmila Soni]

“Delivered: This judgment was handed down electronically by circulation to the parties’ representatives by email, publication on the Supreme Court of Appeal website and release to SAFLII. The date and time for hand-down is deemed to be 09h45 on Friday the 17th day of April 2020.

Summary: National Environmental Management Act 107 of 1998 (NEMA) – s 24 – construction of logistics park – environmental authorisation granted by Department – s 43 of NEMA – unsuccessful appeal to MEC – unsuccessful review on facts of appellate decision of MEC – failure to demonstrate uncontested and objectively verifiable facts resulting in a different decision – failure to seek review of decision of Department – conflation of grounds of review and appeal – appeal dismissed.”

Minister of Environmental Affairs and Another v ArcelorMittal South Africa Limited (342/2019) [2020] [ZASCA](#) 40 (17 April 2020) [provided by Urmila Soni]

“Delivered: This judgment was handed down electronically by circulation to the parties’ legal representatives by email, publication on the Supreme Court of Appeal website and release to SAFLII. The date and time for hand-down is deemed to be 09h45 on 17 April 2020

Summary: Environmental law – protection of environment – prohibition against undertaking identified activities without authorisation – nature and scope of the powers of environmental authorities – pre-existing activities prior to enactment of Environmental Conservation Act 73 of 1989 as well as National Environment Management Act 107 of 1998 (NEMA) that have not been declared as identified activities not subject to the strictures of NEMA and National Environment Management Waste Act 59 of 2008 (NEM:WA) – Basic Oxygen Furnace slag that is not unwanted or rejected or abandoned not constituting waste as defined in NEM:WA – waste management licence in terms of s 49(1)(a) of NEM:WA not required in order to deal with such slag.”

PUBLICATIONS

National

Scholtz W (ed) *Animal Welfare and International Environmental Law – From Conservation to Compassion* ([Edward Elgar](#) 2019) – [Google books](#)

Du Plessis W ‘South Africa’ in Deketelaere K and Delvaux B (eds) *International Encyclopaedia of Laws: Energy Law* ([Kluwer Law](#) International Alphen aan den Rijn, NL 2020)

International

Allan RP *et al* “Advances in understanding large-scale responses of the water cycle to climate change” 2020 [Annals of the New York Academy of Sciences](#)

Blumm MC and Yoklic M “The Wild and Scenic Rivers Act at 50: Overlooked Watershed Protection” 2019 9 [Michigan Journal of Environmental and Administrative Law](#) 1

May JR and Daly E “Human Dignity and Environmental Outcomes in Pakistan” 2019 10 [Pakistan L. Rev.](#) 1

Anderson NJ, Heathcote AJ and Engstrom DR “Anthropogenic alteration of nutrient supply increases the global freshwater carbon sink” 2020 6(16) [Sciences Advances](#) DOI: 10.1126/sciadv.aaw2145

Colburn J *et al* “Slum Health: Arresting COVID-19 & Improving Well-Being in Urban Informal Settlements” 2020 [Journal of Urban Health](#) 5 April

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Mail & Guardian](#): Baigrie B “Pandemic gives us a last chance to avert climate – and social – catastrophe” 16 April 2020

- **Mining**

Webber Wentzel [Podcast](#): Panel discussion “Covid-19: Mining focused insights” 14 April 2020

[Webber Wentzel](#): Veeran J and Spalding R “Covid-19: Mine operations during extended lockdown” 17 April 2020

[Lexology](#): ENS “South African Mining Industry: Practical considerations for employers relating to coronavirus (COVID-19), post lockdown” 9 April 2020

- **Water, sanitation, oceans and chemicals**

[Mail & Guardian](#): Kings S “Why good governance is key for countries facing climate disruption” 16 April 2020

- **Miscellaneous**

EAPASA: 2020 (2)(2) *EAPASA EAP-Mail Newsletter* April [AIAsa News 2020/2021 | 14 April 2020]

[Daily Maverick](#): Pikoli A “Survival and solidarity in the face of a crisis” 18 April 2020

Africa

- **Biodiversity, protected areas and culture**

[Ink](#): Bosaletswe C “Coronavirus: Poaching fears spread at Wildlife Dept.” [Botswana] 14 April 2020

[BBC](#): Spencer C “Northern white rhinos: The audacious plan that could save a species” 14 April 2020

- **Mining**

[East African](#): “South Sudan: Red Flag Up On South Sudan Mining Sector” 14 April 2020 [Legalbrief 16 April 2020]

[Lexology](#): “Spotlight: the legal framework and licensing regime for mining in Angola” 19 October 2019

[News24](#): Biesheuvel T, Hill M and Mitimengi C “Glencore mine boss seized at Zambian airport spells trouble” 18 April 2020

- **Water, food, waste, oceans and chemicals**

[Lexology](#): “Resource Recovery Plan for African Union’s Plastics” 6 April 2020

[Science](#): Voosen P “How a team of scientists studying drought helped build the world’s leading famine prediction model” 15 April 2020

[The Conversation](#): Haas ARN “How to ensure poor people in Africa’s cities can still get food during lockdowns” 16 April 2020

- **Miscellaneous**

[Lexology](#): “COVID-19 South Africa: Impact on Corporate Governance Procedures” 6 April 2020

[The Conversation](#): Kamradt-Scott A “Explainer: what Donald Trump’s funding cuts to WHO mean for the world” 15 April 2020

[The Conversation](#): Vercillo S “Why Ghana’s smallholders aren’t excited by the latest ‘Green Revolution’” 13 April 2020

International

- **Biodiversity, national parks and culture**

[Lexology](#): “Review of the EPBC Act - Indigenous knowledge and culture focus” 8 April 2020

[eTN](#): Miththapala S “Sri Lanka Wildlife Parks: Post-COVID-19 Operations a New Start? Can nature heal itself after the pandemic?” 14 April 2020

[Science](#): Amigo I “For Brazil’s Indigenous communities, pandemic revives memories of earlier plagues” 15 April 2020

[Science](#): Curry A “Hidden Viking trade route emerges from melting ice in Norway” 15 April 2020

[Science](#): Pennisi E “Pandemic robs field scientists of ‘once-in-a-lifetime’ moments” 15 April 2020

[Science](#): Voosen P “Ice-tracking space laser could also map sea floor and monitor health of coral reefs” 14 April 2020

IAIA Best Practice [Guidelines](#): “Biodiversity and Ecosystem Services in Impact Assessment”

[Reuters](#): “‘Longest animal ever’ discovered off Australia” 17 April 2020

- **Climate change and energy**

[Reuters](#): “A U.S. tribe’s battle against climate change” 17 April 2020

[Lexology](#): “Heathrow court case - relevance to Scotland” 9 April 2020

Columbia and Widener website: [Model Laws for Deep Decarbonization in the United States](#)

[European Investment Bank](#): “Stakeholder engagement on the EIB Group’s Climate Bank Roadmap 2021-2025: Turning ambition into reality” (April 2020)

[Lexology](#): “Air emissions obligations for industry and service sectors” [Mexico] 13 April 2020

[New York Times](#): Gunn-Wright R “Think This Pandemic Is Bad? We Have Another Crisis Coming - Addressing climate change is a big-enough idea to revive the economy” 15 April 2020

[Development Asia](#): “Energy Policy Experiments: Lessons from the Korean Experience” April 2020

[Science](#): Waldman S “U.S. conservatives who detest climate models add a new target: coronavirus models” 15 April 2020

[Lexology](#): “New York Significantly Overhauls Siting Process to Boost Renewable Energy Development” 14 April 2020

[Lexology](#): “Nationwide Permit 12 (NWP 12) Vacated on ESA Grounds” [USA] 15 April 2020

[Lexology](#): “The Dutch government publishes an ambitious strategy and policy agenda on the development of the clean hydrogen market” 9 April 2020

[Lexology](#): “The Portuguese new greenhouse gases emission permits” 7 April 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNECE Shares Energy-Efficiency Best Practices throughout Europe” 16 April 2020

[Reuters](#): “Carbon Shift: A court battle looms over U.S. fuel economy standards” 15 April 2020

[CleanEnergyWire](#): Wehrmann B “Stimulus plans spark hope for climate-friendly economic recovery” [EU] 17 April 2020

[CleanEnergyWire](#): Eriksen F and Wettengel J “German states and utilities say Energiewende central to economic recovery” 17 April 2020

- **Local government**

[Lexology](#): “Amendments to Proposed Legislation Would Change Municipalization / Eminent Domain Takeovers of Electric, Gas and Water Utilities” 9 April 2020

[IISD](#) SDG Knowledge Hub: Mead L “UNECE Strengthens Tool to Evaluate Resilience of Infrastructure, Public Services” 14 April 2020

[Science](#): Reilly S “EPA scientists said U.S. should tighten key air pollution limit. The agency’s head just said no” 14 April 2020

- **Mining**

[Lexology](#): “Have your say on the Productivity Commission Draft Report on Resources Sector Regulation” [Australia] 2 April 2020 – find the report [here](#)

[Lexology](#): “Update on Regulation of the Resources Sector” 7 April 2020

[Lexology](#): “Ukraine updates the procedure for issuing subsoil use permits” 2 April 2020

[The Guardian](#): Lakhani N “‘We’ve been abandoned’: a decade later, Deepwater Horizon still haunts Mexico” 19 April 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “Environmental Cleanup During A Pandemic - Q&A Summary of EPA’s Guidance” 13 April 2020

[Lexology](#): “EPA Issues Interim Guidance for Remedial Field Work During the COVID-19 Pandemic” 13 April 2020

[Lexology](#): “Amid COVID-19 Pandemic, NJDEP Publishes Key Remediation Standard Proposal” 8 April 2020

[Lexology](#): “D.C.’s Department of Energy & Environment Proposes Major Changes to Flood Hazard Regulations” 7 April 2020

[IISD](#) SDG Knowledge Hub: Wagner L “SAICM Resource Facilitates Networking among Chemicals Policy Experts” 14 April 2020

[IISD](#) SDG Knowledge Hub: Mead L “OECD Describes Benefits of Implementing a Chemical Management System” 14 April 2020

Wikibrog|Rein [International Law Office](#): James-Olsen C “COVID-19: legal challenges for shipping industry” 15 April 2020

[Science](#): Wade L “Shrewd water use helped South America’s first empire thrive. So why did a drought destroy it?” 16 April 2020

[Science](#): Stokstad E “Droughts exposed California’s thirst for groundwater. Now, the state hopes to refill its aquifers” 16 April 2020

[Lexology](#): “General resolution for emergency actions for 2020 as a result of severe, extreme or exceptional drought in basins” 15 April 2020

[IISD](#) SDG Knowledge Hub: Hayhurst L “How Nanosilver Gets Into Our Freshwater, and What We Need To Do About It” 16 April 2020

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “World Bank Initiative Explores Innovative Use and Reuse of Wastewater” 16 April 2020

[Lexology](#): “Will Pipeline Spill Response Plans Require a Biological Opinion or NEPA Review?” 15 April 2020

[The Guardian](#): Moore R “Is the cruise industry finally out of its depth?” 19 April 2020

- **Miscellaneous**

[Lexology](#): “COVID-19 in Australia and US: A tale of two environmental regulators” 14 April 2020

[The Independent](#): Boyle L “‘We knew this was coming’: Coronavirus pandemic was preventable, ZSL chief says” 18 April 2020

[Lexology](#): “Draft Victorian EPA Guidelines - The new operating license & the general environmental duty for licence holders” [Aus] 3 April 2020

[Lexology](#): “Guidance material for the NT’s new environmental regulatory regime out for consultation” [Aus] 1 April 2020

[Lexology](#): “NSW EPA seeks feedback on financial assurance policy and guideline” [Aus] 8 April 2020

[BBC](#) Documentary: “The Flu That Killed 50 Million | BBC iPlayer” 1 April 2020

[Lexology](#): “Environmental Professional Work in the D.C. Metro Area During the COVID-19 Pandemic” 6 April 2020

[Lexology](#): “EPA Issues Interim Guidance on Site Field Work Decisions Due to Impacts of COVID-19” 13 April 2020

[Lexology](#): “EPA Inspector General Finds Declining Enforcement and Compliance Resources and Outcomes” 8 April 2020

[Lexology](#): “Construction sector and corona: on the brakes unnecessarily?” [Netherlands] 9 April 2020

[IISD](#) SDG Knowledge Hub: Leone F “More Than a Birthday Party: Civil Society Proposes Elements for UN75 Political Declaration” 14 April 2020

[Lexology](#): “Environmental Compliance in the time of Coronavirus” [Canada] 8 April 2020

[Lexology](#): “ESG due diligence on supply chain - steps towards a EU regulatory framework” 16 April 2020

[IISD](#) SDG Knowledge Hub: Leone F “Governments and Experts Exchange Proposals for Improving HLPF” 16 April 2020

[IAIA](#) webinars: “The IAIA Guide on Air Quality Impact Assessments” 26 March 2020 now available

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date! Information on the focus will follow soon

Date: 3-5 September 2020

Place: Gauteng

More information will follow – applying the precautionary principle, the conference will only proceed if Covid-19 measures are no longer in place

Imbewu: Renewable Energy Online Workshop

Date: May 2020

Due to the recent COVID-19 outbreak, IMBEWU is offering an online training workshop on the environmental legal processes applicable to renewable energy projects.

Please see the [course programme](#) for further information.

IMBEWU will present the course online along with video recordings, power point slides and resource materials. Course participants will also be given the opportunity to, via email, direct any questions relating specifically to the content of the workshop to the course presenter, who will respond via return email within 24 hours of receipt of the query.

The course material will be available for subscription in May 2020. Once full payment has been made, the course participant will be provided with a weblink, username and password to access the course material for a limited period of time, as well as detailed instructions on how to access the material. Please email the [booking form](#) to [Lulu](#) or call us on 011 214 0660 for more information

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)

- 28 - 30 July 2020, in Durban – 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](#)

Call for Papers: LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

The call for papers and the registration for the 2020 Private Law and Social Justice Conference is open. This is the twelfth year that the conference will be held. Over the years we have welcomed conference delegates from all over the country. The programme will be made available on the website once the call for papers has closed.

You may find information regarding the call for papers and registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Call for abstracts

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

University of Johannesburg, SAIFAC and Animal Law Reform South Africa (ALRSA): Legal Evolution and the New Rights Revolution: Expanding the Sphere of Protection to Animals and the Environment

Date: 3 and 4 December 2020

Place: Johannesburg, South Africa

Abstracts (In Word document not more than 500 words) by 20 April 2020 to [Amy Wilson](#)

Full papers: 15 November 2020

International

RFF-CMCC-EIEE Webinar Does information on energy costs lead to low efficiency purchases?

Date: Wednesday 22 April 2020

Time: 12.00 pm - 1.00 pm CEST

For further information, please visit the [webinar web page](#) or use [email](#)

How to Participate: The seminar will be broadcasted via Go-to-Webinar. Please, click on the [link](#) for registration. You will receive connection information after registration.

IAIA20

Rescheduled to 18-21 May 2021

Place: Seville, Spain

Watch the [conference website](#) and your email for updates, as submissions and registration will be re-opening in the coming months.

UPADSD 2020: Urban Planning & Architectural Design for Sustainable Development

Date: (Online) 8-10 July 2020 - from Rome, Italy

More [information](#)

COSVARD 2020: 3rd International Conference on Smart Villages and Rural Development

Date: 7-8 December 2020

Place: Guwahati, India

More [information](#)

NEWS

National

- **Biodiversity, protected areas and culture**

Birdwatching in urban areas

Over the last week, several journalists have asked whether there's any local evidence of birds adapting to and potentially benefitting from the lockdown. In Wuhan, where the lockdown was first enforced, birders reported seeing rare thrushes in the parks for the first time, as birds came out of hiding. And since then, there have been reports of wildlife becoming increasingly visible in urban areas around the world (see [here](#)).

Have you noticed any changes in bird behavior locally linked to the lockdown? One challenge is we're all stuck at home, so we only see tiny parts of the picture, but perhaps by pooling our collective experiences we can detect changes. But be aware that some apparent changes might be things you have overlooked in the past because you've never spent so much time staring at your garden, or scanned the skies for birds flying over! Please send any observations to [Peter Ryan](#).

Environmental: Tribunal dismisses bid to lift heritage protection

"An eight-year fight to halt a R5bn development has come to an end, after the Department of Cultural Affairs & Sport's independent tribunal dismissed an application to lift a provisional heritage protection for the Two Rivers Urban Park, in Observatory, Cape Town. At the heart of the dismissal, notes a Cape Argus report, is a redevelopment of the River Club that is opposed by groups concerned about the heritage of the Liesbeek River and surrounds. The appeals were lodged last year by the city, the Department of Transport & Public Works, the Department of Environmental Affairs & Development Planning, and the Liesbeek Leisure Properties Trust. Last year, at a special council meeting of Heritage Western Cape, a decision to withdraw the area's protection status was recommended, but rejected. In its ruling the tribunal said: 'This appeal tribunal finds that the area and resource require provisional protection, and that this will facilitate a better understanding of the heritage issues.' It noted, too, 'there is merit in pursuing a structured and formal mediation of the disputes, which will only continue to bedevil

and hamstringing heritage conservation and sustainable development, if left unresolved’.”

Full Cape Argus report (subscription needed) Legalbrief 16 April 2020

“Covid-19 separates men from boys as winter circumcisions banned” [Times Select](#) 17 April 2020 [subscription needed]

“Watch: Penguins on the loose in SA’s empty streets” [Business Insider](#) 18 April 2020

[The Guardian](#): “Lions and other wild animals relax in South Africa golf club during lockdown – video” 17 April 2020

- **Climate change and energy**

Yeld J “Barbara Creecy over-rules officials on air pollution data” [GroundUp](#) 16 April 2020

- **Local government**

Timse T “Covid-19 exposes sanitation failures in Ekurhuleni as mayor punts ‘vaccine’” [News24](#) 17 April 2020 – read amaBhungane report [here](#)

Broughton T “Covid-19: New regulations to get water and sanitation packs to communities” [GroundUp](#) 16 April 2020

Kretzmann S “Tribunal slams province and City over River Club developments” [GroundUp](#) 18 April 2020

Stent J “Covid-19: Global experts suggest plan for informal settlements” [GroundUp](#) 17 April 2020

Majola N “Covid-19: Informal settlement without water despite Durban mayor’s promise” [GroundUp](#) 16 April 2020

- **Mining**

Mvumvu Z “Mine employees heeding call to return to work turned away at roadblocks” [TimesLive](#) 14 April 2020

Secombe A “CEO of Implats Rustenburg Mark Munroe charged with lockdown violations - Munroe is out on R60,000 bail over conflicting interpretations of the regulations between police and what the industry agreed with the government” [BusinessLive](#) 17 April 2020

- **Water, oceans, waste and chemicals**

Krige J “Covid-19: Court decision is a heavy blow to waste-pickers’ hopes” [GroundUp](#) 15 April 2020 – also read [IOL](#) report

Covid-19 crisis: National ‘water command centre’ established

“A directive was gazetted yesterday evening to establish a ‘national disaster water command centre’ among other things tasked with co-ordinating the ‘emergency procurement’ of any goods and services required to ensure the provision of water and sanitation services where they are lacking or inadequate. Headed by the chief executive of Rand Water, the new command centre comprises representatives

from 'the various water boards' nationwide, as well as departmental officials and water services authorities. It will be the responsibility of these authorities to 'identify appropriate public spaces for the placement of water tanks and water tankers'; provide 'adequate security ... against vandalism and theft'; and deploy personnel to monitor 'the continued availability of ... water' in each water tank and tanker." Read full report in Legalbrief Policy Watch 16 April 2020

- **Miscellaneous**

"Lockdown | New certificate needed to perform essential services" [fin24](#) 16 April 2020

"Almost 30% of SA's super rich studied law" [Business Insider](#) 15 April 2020

Knoetze D "Covid-19: Lockdown creates ripe pickings for corrupt police" [GroundUp](#) 15 April 2020

Broughton T "Covid-19: Lawyers urge justice minister to re-open more courts" [GroundUp](#) 16 April 2020

Hyman A "How organised crime is exploiting Covid-19" [TimesLive](#) 18 April 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Garth Owen-Smith – community conservation trail blazer passed away

"Garth Owen-Smith passed away over Easter weekend. Garth is a hero of conservation in Namibia having fought and won many battles with the old bureaucracy, virtually eliminating poaching and forcing through the Conservancy system of local community land ownership. He and his partner were also the recipients of many prestigious international conservation awards." [4x4 Community 12 April 2020] You can read more about him [here](#) and [here](#) and look at a video of one the award of one of his prizes, the Prince William Award for Conservation in Africa [here](#).

Lombrana LM "With fishing fleets tied up, marine life has a chance to recover" [fin24](#) 18 April 2020

McDermott M "Federal judge cancels Keystone XL pipeline permit over concern for endangered species" [The Jurist](#) 17 April 2020

Sullivan M "Federal judge rules government failed to protect endangered whales in favor of lobster fishing industry" [The Jurist](#) 10 April 2020

Alberge D "Mediterranean shipwrecks reveal 'birth of globalisation' in trade" [The Guardian](#) 18 April 2020

Readfearn G "Rebuild it, shade it, breed it: three tactics to buy time for the Great Barrier Reef" [The Guardian](#) 17 April 2020

Cox L "Environment groups ask government to delay review of Australia's conservation laws" [The Guardian](#) 15 April 2020

Marshall M "Covid-19 – a blessing for pangolins?" [The Guardian](#) 18 April 2020

"Nature welcomes the change': with no tourists, wildlife roams California's Yosemite" [Reuters](#) 17 April 2020

Basma A "Coronavirus lockdown brings Lebanon's migratory birds up close" [Reuters](#) 17 April 2020

Strauss M "EU to step up rules on factory farming, wildlife trading amid pandemic" [Reuters](#) 17 April 2020

Williams B "Beware the boar: wild pigs patrol Israeli city under coronavirus closure" [Reuters](#) 17 April 2020

- **Climate change and energy**

"EU lawmakers call for green recovery, dismiss efforts to ease ETS impact" [Carbon Pulse](#) 17 April 2020

"EU nations endorse green finance rules but flag 'transition' fuel concerns" [Carbon Pulse](#) 17 April 2020

"EU's shift to clean power accelerated by a decade due to virus response, says energy tech firm" [Carbon Pulse](#) 17 April 2020

"Freeze carbon tax, delay new climate regs during virus crisis, oil lobby asks" [Canada] [Financial Post](#) 17 April 2020

Harris K "Trudeau announces aid for struggling energy sector, including \$1.7B to clean up orphan wells" [Canada] [CBC](#) 17 April 2020

Boisvert N "Ford government files motion to strike down youth-led climate lawsuit" [Canada] [CBC](#) 16 April 2020

"Just plain garbage,' FERC's Glick says as commission largely upholds its PJM MOPR decision" [US] [Utility Dive](#) 16 April 2020

"The last coal plant in Austria shuts down, leaving only seven EU member-states without plans to do the same by 2030 'deadline'" [Climate Action Network Europe](#) 17 April 2020

"European Roundtable on Climate Change and Sustainable Transition and Climate Change Center announce cooperation on Border Carbon Adjustments" [ERCST](#) 17 April 2020

"New rules to force major Western Australian emitters to document climate, offset strategies" [Carbon Pulse](#) 16 April 2020

Hurst L and Herron J "Shell Sets Bolder Emissions Goal Even as Virus Hits Oil" [Bloomberg](#) 16 April 2020

"South Korea to implement Green New Deal after ruling party election win" [Climate Home News](#) 16 April 2020

Nicolas H "Indonesia won't 'sacrifice economy' for deeper emissions cuts" [Eco-Business](#) 15 April 2020

"Japan's SMFG to end lending for new coal-fired power plants" [Reuters](#) 16 April 2020

Dlouhy JA and Tobben S “U.S. Weighs Paying Drillers to Leave Oil in Ground Amid Glut” [Bloomberg](#) 16 April 2020

Nickel R “U.S. court rules against permit in new setback for Keystone XL oil pipeline” [Reuters](#) 16 April 2020

Harvey F “Half UK's true carbon footprint created abroad, research finds” [The Guardian](#) 16 April 2020

Abnet K “Greenland ice sheet shrinks by record amount - climate study” [Reuters](#) 15 April 2020

Mauroni A “Virginia Clean Economy Act institutes new clean energy requirements” [The Jurist](#) 13 April 2020

“Draft China energy law pushes carbon emissions cuts, but vague on policy” [Carbon Pulse](#) 10 April 2020

Lamp J “OPEC agrees to historic oil production reduction” [The Jurist](#) 14 April 2020

Iannucci E “A \$10bn Surat gas project gets green light” [Mining Weekly](#) 17 April 2020

Bulbulia T “Wind power capacity worldwide reaches 650.8 GW; coronavirus impact expected” [Engineering News](#) 17 April 2020

Milman O “‘Huge environmental waste’ as US airlines fly near-empty planes” [The Guardian](#) 17 April 2020

Boyle L “Oil lobby group asks for environmental laws to be suspended due to coronavirus” [The Independent](#) 17 April 2020

Cockburn H “Climate crisis: Failure to hit Paris agreement goals ‘could cost world \$600 trillion’” [The Independent](#) 15 April 2020

Wettengel J “German Fridays for Future takes climate strike online” [CleanEnergyWire](#) 17 April 2020

Eriksen F “Diesel driving bans ‘off the table’ as lockdown shows low effect on German NOx levels – state sec” [CleanEnergyWire](#) 17 April 2020

- **Local government**

Carrington D “UK cities postpone clean air zone plans due to Covid-19 crisis” [The Guardian](#) 16 April 2020

Maiai L “Boom time for New Zealand's rats as lockdown gives them free rein in cities” [The Guardian](#) 18 April 2020

Chapman B “Milk thrown down the drain while millions go hungry: Lockdown puts increasing strain on Britain's food system” [The Independent](#) 18 April 2020

“Fires near Chernobyl make Kiev air most polluted in world” [Reuters](#) 17 April 2020

- **Mining**

“‘Coal paradox’ is reshaping Polish attitudes to energy transition -think-tank” [Carbon Pulse](#) 16 April 2020

Ambrose J “US shale industry expected to shrink sharply as oil price falls” [The Guardian](#) 18 April 2020

Sainato M “‘I’ve already got infected lungs’: for sick coal miners Covid-19 is a death sentence” [The Guardian](#) 19 April 2020

- **Water, waste, oceans and chemicals**

Friedman L and Davenport C “E.P.A., Tweaking Its Math, to Weaken Controls on Mercury” [New York Times](#) 16 April 2020

McDermott M “EPA rolls back mercury regulations” [The Jurist](#) 17 April 2020

Hursh A “Florida asks Supreme Court to reject Special Master recommendation in water dispute with Georgia” [The Jurist](#) 14 April 2020

Milman O “‘I pray to God it never happens again’: Gulf coast bears the scars of historic oil spill 10 years on” [The Guardian](#) 18 April 2020

Readfearn G “Water in estuaries along NSW coast has warmed by more than 2C, study finds” [The Guardian](#) 14 April 2020

Cockburn H “Climate crisis: Historic megadrought driven by global warming ‘already impacting western US and Mexico’, study warns” [The Independent](#) 17 April 2020

Cockburn H “Social distancing for trees? Ash dieback pandemic less deadly to isolated trees, study finds” [The Independent](#) 16 April 2020

Harvey F “‘Every measure’: New plan to protect Sydney water supplies” [Sydney Morning Herald](#) 18 April 2020

“Waste not, want not: Hong Kong cafe zeros in on reducing trash” [Reuters](#) 17 April 2020

- **Miscellaneous**

Milman O “‘Huge environmental waste’ as US airlines fly near-empty planes” [The Guardian](#) 17 April 2020

Morgan S “EU transport chief cautions against green strings for airline bailouts” [Euractiv](#) 16 April 2020

“See: Astronauts land back on Earth transformed by coronavirus pandemic” [News24](#) 17 April 2020

Beres LR “The Trump Presidency: A Breathtaking Assault on Law, Justice and Security” [The Jurist](#) 12 April 2020 – see also [The Guardian](#)

Watts J “Nobel laureates condemn ‘judicial harassment’ of environmental lawyer” [The Guardian](#) 18 April 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

Wits: Director: Mandela Institute

Closing date: 4 May 2020

More [information](#)

Department of Public Works: Internship Programme

Closing date: 4 May 2020

More [information](#)

International

Chief Executive Officer, Beyond Zero Emissions – Melbourne

Closing date: 26 April 2020 (Melbourne time)

More [information](#)

Climate Change Lead, Royal London – London

More [information](#)

2019-2020 STUDENT ESSAY COMPETITION

Submission date **Extended to 30 April 2020**

The ELA Essay Competition is open to any student who is enrolled at a South African higher education institution (including undergraduate and postgraduate programs) or was enrolled in the year prior to submission, but has since completed his/her studies. Evidence of enrolment as a student must be submitted along with the essay. For the purposes of this Essay Competition, a 'South African higher education institution' is such an institution as defined in the Higher Education Act 101 of 1997. Submissions will be considered in two categories: (i) under graduate students and (ii) post-graduate students.

More [information](#)

In this time of Covid-19 we would like to wish you and your dear ones well. All over the world associations are cancelling conferences, workshops etc.

We would like to keep in touch, finding new ways to keep in contact and we shall update you soon in this regard.

In the meantime, keep in contact via our Newsletter, Website and Facebook.

University applications invited: *Annual ELA Environmental Law Excellence Prize for Top Academic Performance in Undergraduate LLB Environmental Law Module*

Faculties and Schools of Law in South Africa are invited to apply to the ELA for financial support towards an annual prize for the top academic achiever in the undergraduate (LLB) environmental law module. This offer is open to all universities in the country that presents Environmental Law as a LLB module.

Applications may be directed to: [Anel du Plessis](#) and [Saritha Marais](#)

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

24 April 2020

DIRECTIVES

Superior Courts Act 10 of 2013 – Gen Notice 246 in GG 43241 of 21 April 2020 - Directives issued by Chief Justice Mogoeng Mogoeng during Coronavirus COVID-19 lockdown

Draft framework for the risk-adjusted strategy to bring different sectors of the economy back to work 25 April 2020 – for [comment](#)

Draft Schedule of Services Framework for Sectors 25 April 2020 – for [comment](#)

NOTICES

Disaster Management Act 57 of 2002 - GN R471 in GG 43240 of 20 April 2020 - 'Lockdown Regulations' issued in terms of s. 27 (2) of the Act amended

Financial Markets Act 19 of 2012 - BN 53 in GG 43248 of 24 April 2020 - Notice of publication for comment of proposed amendments to the JSE Debt Listings Requirements - Sustainability Segment

PROVINCES

Eastern Cape

Disaster Management Act 57 of 2002 – Gen Notice 10 in PG 4407 of 20 April 2020 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions for a further month

Gauteng

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000; and Local Government: Municipal Property Rates Act 6 of 2004 - LAN 631 in PG 79 of 22 April 2020 - City of Johannesburg Metropolitan Municipality - Special Rating Area By-law, 2019

Kwazulu-Natal

KwaZulu-Natal Consumer Protection Act 4 of 2013 - PN 42 in PG 2181 of 23 April 2020 - commences 1 May 2020

CASES

National

National Director of Public Prosecutions v Gumedde (504/2020) [2020] [ZAMPMBHC 7](#) (13 April 2020)

“[1] The State wants to lay its hands upon the defendant’s property. The defendant is being accused of rhino poaching in the Kruger National Park (“*the KNP*”). This court is not going to allow the State to lay its hands upon the defendant’s property. Outraged, some may say that the court’s refusal to deprive the alleged poacher of his property is directly opposed to what society expects. After all, rhino poaching is a grave offence, unnecessary, brutally inhumane and must be stopped at all costs.

[2] I hope that, after this judgment is read, those who may be outraged will appreciate that fundamentally, courts must uphold the law even if the law dictates a result however unjust it may seem. Courts are not there to make popular decisions. I add the following rider: Courts are empowered to develop the common law and to declare what the Legislature enacted and what the Executive does unconstitutional. However, until such development or declaration is made, the law must be applied as it stands. This matter presents me with no opportunity or authority to change the law as it presently stands.

[3] I will briefly explain in a short introduction in this judgment the reasons for my order in this matter before I go into the real intricacies the matter presents. I shall do so in only a few paragraphs. These intricacies relate to court process and the application of legislation, matters only other courts, legal practitioners or law academics may have a real interest in. I also deem it appropriate and necessary to commence with a summary because, due to the nature of the matter, ordinary people may want to know, without needing to go through the entire judgment, why I gave an order that goes against all which society may perceive to be deserving or just - depriving an alleged rhino poacher of property because the State alleges that the defendant benefitted from that alleged crime.”

International

Atlantic Richfield Co. v. Christian et al. Supreme Court of the United States [Case No. 17–1498](#). Argued December 3, 2019—Decided April 20, 2020

“ARCO Superfund: In short, the Court ruled that, due to § 122(e)(6), the landowners’ claims for restoration damages may only proceed if they get EPA’s permission for whatever remedial measures they propose to undertake.” [Envlawprofessors list – Prof Johnston Lewis & Clark]

Physicians For Social Responsibility, Et Al., Appellants v. Andrew Wheeler, Administrator, U.S. Environmental Protection Agency [Case No 1:17-cv-02742](#) United States Court of Appeals For The District Of Columbia Circuit Decided 21 April 2020

‘The Environmental Protection Agency (EPA) utilizes nearly two dozen scientific advisory committees—multimember groups that “review scientific research” relevant to the agency’s regulatory objectives and generally “provide advice and expertise from outside the agency.” National Research

Council, Science for Environmental Protection: The Road Ahead 180 (2012).

Historically, EPA advisory committees have included academic scientists who, supported by EPA grants, conduct cutting-edge scientific and technical research important to the agency's statutory mission. In 2017, the EPA Administrator issued a directive that now prohibits all grant recipients from serving on any agency advisory committee. Three scientists who had previously received EPA grants and served on advisory committees, along with several non-profit organizations, filed suit, arguing that the directive was both arbitrary and capricious and contrary to law in violation of the Administrative Procedure Act (APA), 5 U.S.C. § 706(2)(A).

The district court granted EPA's motion to dismiss, holding that the directive was unreviewable and, in the alternative, lawful. For the reasons explained below, we reverse.'

In Re Natural Resources Defense Council, Inc., Natural Resources Defense Council, Inc., Petitioner, V. U.S. Environmental Protection Agency; Andrew Wheeler [Case No. 19-71324](#) United States Court of Appeals for the Ninth Circuit Decided 22 April 2020

'The panel granted a petition for a writ of mandamus, and ordered the U.S. Environmental Protection Agency (EPA) to respond within 90 days of the final date of this decision to the administrative petition of the Natural Resources Defense Council (NRDC) requesting that the EPA end the use of a dangerous pesticide, tetrachlorvinphos (TCVP), in household pet products.

"For more than a decade, the Natural Resources Defense Council (NRDC) has waited in vain for the United States Environmental Protection Agency (EPA) to respond to its administrative petition requesting that the Agency end the use of a dangerous pesticide in household pet products. Repeatedly, the EPA has kicked the can down the road and betrayed its prior assurances of timely action, even as it has acknowledged that the pesticide poses widespread, serious risks to the neurodevelopmental health of children. Guided by our case law and the history of these proceedings, we hold that the EPA has unreasonably and egregiously delayed the performance of its statutory duties on this critical matter of public health and that the circumstances warrant the extraordinary remedy of issuing a writ of mandamus. We grant NRDC's petition for a writ of mandamus."

County of Maui, Hawaii v. Hawaii Wildlife Fund et al [Case No 18-260](#) United States Court of Appeals - Decided 23 April 2020

'Petitioner County of Maui's wastewater reclamation facility collects sewage from the surrounding area, partially treats it, and each day pumps around 4 million gallons of treated water into the ground through four wells. This effluent then travels about a half mile, through groundwater, to the Pacific Ocean. Respondent environmental groups brought a citizens' Clean Water Act suit, alleging that Maui was "discharg[ing]" a "pollutant" to "navigable waters" without the required permit. The District Court found that the discharge from Maui's wells into the nearby groundwater was "functionally one into navigable water," and granted summary judgment to the environmental groups. The Ninth Circuit affirmed, stating that a permit is

required when “pollutants are fairly traceable from the point source to a navigable water.”

Held: The statutory provisions at issue require a permit when there is a direct discharge from a point source into navigable waters or when there is the functional equivalent of a direct discharge.’

PUBLICATIONS

National

Gilder A and Rumble O “Improving sub-Saharan African access to climate change finance: An alternative view” [SAIIA](#) 16 April 2020

Retief FP *et al* “An administrative justice perspective on improving EIA effectiveness” 2019 [Impact Assessment and Project Appraisal](#)
<https://doi.org/10.1080/14615517.2019.1680042>

International

Zannoni D “The legitimate expectation of regulatory stability under the Energy Charter Treaty” 2020 *Leiden Journal of International Law*
DOI: <https://doi.org/10.1017/S0922156520000047>

Australian Government Department of Industry, Science, Energy and Resources “Estimating greenhouse gas emissions from bushfires in Australia’s temperate forests: focus on 2019-20” ([Report](#) April 2020)

2020 April [Energy Review](#) now available

IRENA “Global Renewables Outlook: Energy Transformation 2050” ([Report](#) April 2020)

Soojin Kim and Joojin Kim “Can Biomass Qualify as Renewable Energy? The state of biomass in Korea” ([Report](#) April 2020)

Zhang Y *et al* “Quantifying methane emissions from the largest oil-producing basin in the United States from space” 2020 6(17) [Science Advances](#) DOI: 10.1126/sciadv.aaz5120

Elgabarty H *et al* “Energy transfer within the hydrogen bonding network of water following resonant terahertz excitation” 2020 6(17) [Science Advances](#) DOI: 10.1126/sciadv.aay7074

Zhang G “Tropical cyclone motion in a changing climate” 2020 6(17) [Science Advances](#) DOI: 10.1126/sciadv.aaz7610

Cramer KL “Widespread loss of Caribbean acroporid corals was underway before coral bleaching and disease outbreaks” 2020 6(17) [Science Advances](#) DOI: 10.1126/sciadv.aax9395

Bhagwat Pradyumna and Hadush Samson “Dynamic Retail Electricity Tariffs: Choices and Barriers” ([Open access](#) Florence School of Regulation April 2020)

Adler FR, Green AM and Şekercioğlu C “Citizen science in ecology: a place for humans in nature” *Annals of the New York Academy of Sciences* 26 March 2020
<https://doi.org/10.1111/nyas.14340>

Utermohlen M “Runway to extinction” ([Report](#) 2020)

Worldwide Call for Papers: “The International Legal Order and the Global Pandemic”

In response to the COVID-19 crisis, the American Journal of International Law (AJIL) is issuing a worldwide call for papers for an Agora symposium to be published in the October 2020 issue of the Journal. The topic – “The International Legal Order and the Global Pandemic” – recognizes that the present crisis raises foundational questions for the international legal order that extend beyond the immediate challenges to public health and economic stability. Papers can address any aspect of this topic from a historical, institutional, doctrinal, normative, critical, or geopolitical perspective, or a mix of approaches, including but not limited to:

- state responsibility for pandemics;
- the design and operation of international institutions, such as the World Health Organization, and other forms of international cooperation;
- challenges to the promotion and protection of human rights during pandemics, including emergency and police powers, surveillance technologies, and the impact on migration and refugees;
- the disparate consequences of pandemics for minority groups, economic inequality, or intergenerational equity;
- the relationship between climate change and pandemics;
- controversies over innovation for medical treatments and vaccines and the cross-border distribution of goods, services, and knowledge;
- threats to the global financial system; and
- historical analyses of pandemics and insights for present and future challenges

Papers should not exceed 5,000 words, inclusive of footnotes. The deadline for submissions is July 1, 2020. Submitted papers should be [emailed](#).

The selection of papers will be based on importance, novelty, and quality of analysis, with particular attention given to papers likely to have lasting relevance. An effort will also be made to publish a diverse array of contributions. Authors are asked to conform to AJIL’s style manual, which can be found [here](#).

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Daily Maverick](#): “In pictures – Big and small animals get out and play” 24 April 2020

- **Climate change and energy**

[Engineering News](#): Opinion: Bischof-Niemz T “Why should SA’s post-Covid-19 stimulus incorporate a big green-energy component?” 24 April 2020

- **Mining**

[Webber Wentzel](#): “Covid-19: Mining focused insights” 21 April 2020

[Mining Weekly](#): “Final list of sectors entitled to resume under ‘Level 4’ lockdown to be published next week” 25 April 2020

- **Water, sanitation, oceans and chemicals**

[Daily Maverick](#): Philips X “Birds of a feather: SAA and Water Affairs Department fly too close to the sun” 24 April 2020

- **Miscellaneous**

[Lexology](#): ENS “South Africa: litigating during the national state of disaster” 2 April 2020

[Daily Maverick](#): Walters T “Earth Day message: Nature has not unleashed her full might yet — indigenous healers” 23 April 2020

Africa

- **Biodiversity, protected areas and culture**

[Scientific American](#): Bard S “Birds on Rhinos' Backs Help Them Avoid Poachers” 22 April 2020

[eTN](#): Ofungi T “12 Park Rangers killed in deadly attack on UNESCO World Heritage Site” 25 April 2020

[The Conversation](#): Van Itterbeeck J “Swarming locusts: people used to eat them, but shouldn’t anymore” 24 April 2020

- **Climate change and energy**

[The Conversation](#): Kibursi A “Oil crash explained: How are negative oil prices even possible? 21 April 2020

- **Local government**

[ICLEI](#): 10 Tips for African cities to help limit global warming to 1.5°C

[ICLEI](#): Climate action at community-level: African solutions that really work

[ICLEI](#): Climate solutions for African cities – Poster can be downloaded

- **Mining**

[Extractives Baraza](#): Kirwa J “Virus hits small-scale miners in the country” [Kenya] 22 April 2020

[Extractives Baraza](#): Kirwa J “Congo artisanal cobalt programme expands” 22 April 2020

[Lexology](#): “Spotlight: the legal framework and licensing regime for mining in Burkina Faso” 19 October 2019

[Lexology](#): “First-step analysis: gas regulation in Angola” 10 March 2020

[Mining Weekly](#): “Lesotho permits diamond mining to restart while lockdown continues” 24 April 2020

- **Water, food, waste, oceans and chemicals**

[The Conversation](#): Babatunde AO “How oil and water create a complex conflict in the Niger Delta” 21 April 2020

[SABC News](#): “Uganda loses power nationwide after hydropower dams clogged – ministry” 14 April 2020

- **Miscellaneous**

[Natural Justice](#): Anyango Okoth EM “When Nature Speaks, We Have to Listen: COVID-19 and Environmental Values” 17 April 2020

[News24](#): “WHO warns malaria deaths could double during virus pandemic” 23 April 2020

International

- **Biodiversity, national parks and culture**

[Lexology](#): “NSW EPBC Act Bilateral Agreement amended: what this means for biodiversity offsets” 17 April 2020

[Lexology](#): “Federal Judge Prohibits Use of U.S. Army Corps of Engineers’ Nationwide Permit 12 for Utility and Pipeline Projects” 20 April 2020

[Lexology](#): “Business as unusual - Can COVID-19 recovery be aligned with planetary needs?” 14 April 2020

[Nature](#): Digby A “To look after these birds is to ‘fall in love’ with them” 21 April 2020

[Climate Action Reserve](#): “Soil Enrichment Protocol” [California] April 2020

[BBC](#): McGrath M “Nature crisis: ‘Insect apocalypse’ more complicated than thought” 23 April 2020

[BBC](#): Kinver M “Volcanic time-bomb threatens nearby trees” 24 April 2020

[BBC](#): “Colombia: Saving rare species in jungles once protected by war” 25 April 2020

[Lexology](#): “Review of Environmental Protection and Biodiversity Conservation Act 1999 - a chance to refocus our national environmental laws” 17 April 2020

[GEF Blog](#): “This Earth Day, reflecting on the global commons we share” 20 April 2020

- **Climate change and energy**

[Lexology](#): “UK Emissions Trading System or a carbon tax?” 9 April 2020

[Lexology](#): “Hydrogen: Consultation by the Dutch regulator (ACM) on the role of group companies of TSOs and DSOs in the Dutch hydrogen market” 9 April 2020

[Lexology](#): “(Somewhat) Streamlined Energy and Carbon Reporting (SECR)” 7 April 2020

CEEW India [Youtube](#): “How could Covid-19 Dampen India's Solar Ambitions? CEEW Analysis” 16 April 2020

[Bulletin](#) of Atomic Scientists: Fadaie S and Ramana MV “A dirty battle for a nuclear bailout in Ohio” 21 April 2020

[Webinar](#) Recording EU’s Maria Skoldowska-Curie fellowship: Global Energy Transition Law” 17 April 2020 – conference booklet [here](#)

[Bloomberg](#) Green: Lombrana LM “This Is How Europe’s Hottest Year Looked From Space” 22 April 2020

[Nature](#): Tollefson J “How hot will Earth get by 2100?” 22 April 2020

[Lexology](#): “Volkswagen emissions scandal: Supreme Court refers questions to ECJ” 21 April 2020

[Lexology](#): “NSW environment regulator sued over failure to establish climate policy” 20 April 2020

[Business Green](#): Holder M “A good time to tax fossil fuels: Experts react to plummeting oil price” 21 April 2020

[Lexology](#): “Minnkota Power Cooperative Wants to Build the World’s Largest Carbon Capture Facility” 22 April 2020

[Lexology](#): A fiery debate: incineration tax” [UK] 22 April 2020

[Lexology](#): “WA EPA releases its revised guideline on the assessment of greenhouse gas emissions” [Australia] 23 April 2020

[ChemistryWorld](#): Brazil R “Eunice Foote: the mother of climate change” 20 April 2020

[Nature](#): “Climate action and poverty alleviation must go hand-in-hand” 22 April 2020

[Nature](#): Van Berkel D “How scientists can help lawyers on climate action” 20 April 2020

[BBC](#): Harrabin R “Coronavirus recovery plan 'must tackle climate change'” 25 April 2020

- **Local government**

[ICLEI](#): “Regenerating districts with inhabitants in Malmö” 14 April 2020

[Lexology](#): “Back from the tip(ping) point - Victoria’s 10-year circular economy strategy” 20 April 2020

[IISD](#) SDG Knowledge Hub: Hageneder C “COVID-19 Stimulus Spending for Green Construction Means Building Back Better” 21 April 2020

[IISD](#) SDG Knowledge Hub: Mead L “UNICEF Launches Global WASH Framework for Urban Areas” 21 April 2020

[Lexology](#): “Aligning Affordable Housing and Brownfields Projects for Success” 22 April 2020

Sabin Centre Climate Law [Blog](#): Aidun H “Local governments across the country file legal brief challenging EPA’s failure to address power plant pollution” 24 April 2020 [provided by Anél du Plessis]

[IISD](#) SDG Knowledge Hub: Mead L “In Updated NDC, Chile Aligns Climate and Sustainable Development Agendas” 23 April 2020

[IISD](#) SDG Knowledge Hub: Anderson L “IRENA Flagship [Report](#) Explores Policy Framework to Support Decarbonisation” 23 April 2020 – find the digital format [here](#)

- **Mining**

[Lexology](#): “Spotlight: the legal framework and licensing regime for mining in Australia” 9 October 2019

[Lexology](#): “Spotlight: the legal framework and licensing regime for mining in China” 9 October 2019

[Lexology](#): “Spotlight: the legal framework and licensing regime for mining in Brazil” 9 October 2019

- **Water, oceans, waste and chemicals**

[Lexology](#): “New Jersey Approves Drinking Water Standards for Two PFAS” 21 April 2020

[Lexology](#): “Supreme Court Rules that Landowners at a CERCLA Site Cannot Require Additional Cleanup under State Law without Advance EPA Approval” 21 April 2020

[Lexology](#): “Federal Circuit Dismisses Takings Claim Relating to Environmental Contamination for Being Out of Time” 21 April 2020

[Lexology](#): “DEP Upgrades of NJ Water Bodies to Category One Status Trigger Significant Land Use and NJPDES Discharge Restrictions on Neighboring Properties” 21 April 2020

[Lexology](#): “U.S. EPA and Army Corps Publish Final Navigable Waters Protection Rule” 21 April 2020

[Lexology](#): “An opportunity for three waters infrastructure - but be careful what you wish for” (New Zealand) 22 April 2020

[Lexology](#): “Select Committee releases report on the Resource Management Amendment Bill” (New Zealand) 22 April 2020

[Lexology](#): “Dairy Farms Violate Consent Decree for Continued Groundwater Pollution; Sanctions Pending” 20 April 2020

[Lexology](#): “Amendments to the Law of Dumping in Mexican Marine Zone” 15 April 2020

[Lexology](#): “COVID-19: Safety, Health and Environment Regulatory - EA relaxes environmental waste permit rules” [UK] 21 April 2020

[Lexology](#): “War on waste: a new strategy to implement Australia’s waste export ban” 14 April 2020

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Exposes Fight Against Illegal Trade in Pesticides, Mercury” 21 April 2020 – find report [here](#)

[IISD](#) SDG Knowledge Hub: Mead L “SAICM [Brief](#) Previews Chemicals Management Needs Beyond 2020” 21 April 2020

[Lexology](#): “Scope of Clean Water Act Jurisdiction Set to Change” 22 April 2020

[Lexology](#): “Trump Administration Publishes Final Navigable Waters Protection Rule” 21 April 2020

[The Guardian](#): Alberge D “Pompeii ruins show that the Romans invented recycling” 26 April 2020

[The Guardian](#): Doward J “Why Britain’s 2.5 billion paper coffee cups are an eco disaster” 26 April 2020

- **Miscellaneous**

[Lexology](#): “New agency to drive disaster preparedness and recovery in NSW” 16 April 2020

[Lexology](#): “How Will COVID-19 Affect Corporate Sustainability Efforts - Virtual Earth Day” 16 April 2020

[Lexology](#): “California Court Provides Practical Guidance On Affixing The “Baseline” In A CEQA Case - And Weighs In On A Thorny Federal/California Air Quality Issue” 21 April 2020

[Lexology](#): “Implementation of the Dutch Environment and Planning Act (Omgevingswet) Postponed Due to Pandemic” 21 April 2020

[Lexology](#): “COVID-19 delays new Victorian Environment Protection Act” 22 April 2020

[Bulletin](#) of Atomic Scientists: Drolette D “Trump, coronavirus, and climate change: using a pandemic to gut the EPA” 21 April 2020

[Bulletin](#) of Atomic Scientists: “COVID-19 and the Doomsday Clock: Observations on managing global risk” 15 April 2020

[Bulletin](#) of Atomic Scientists: Mecklin J “How Earth Day began and why it still matters, in seven minutes” 22 April 2020

[Bulletin](#) of Atomic Scientists: Stover D “Heal the Earth: flatten other curves” 22 April 2020

[Lexology](#): State and Environmental Group Opposition to EPA’s COVID-19 Enforcement Discretion Policy Intensifies” 20 April 2020

[Lexology](#): “EU study on due diligence requirements through the supply chain - the European Commission’s Final Report” 20 April 2020

[IISD](#) SDG Knowledge Hub: Theeuwes N “Implementing the SDGs: Acknowledge Prioritizations, Do Not Neglect Them” 21 April 2020

[Lexology](#): “Trio of Recent Supreme Court of Canada Decisions Signals Provinces Cannot Impede Federal Undertakings under the Guise of Environmental Protection” 22 April 2020

[Lexology](#): “EPA Shifts Policy on Construction Prior to an Air Permit” 21 April 2020

[Nature](#): Dunn R “In retrospect: Silent Spring” 2012 485 578–579

International Association for Volunteer Effort: Webinar [recording](#): “Corona virus and its impact on SDGs” April 2020

[IISD](#) SDG Knowledge Hub: Wagner L “Audit Model Guides Evaluation of National-level SDG Implementation” 23 April 2020

[IISD](#) SDG Knowledge Hub: Leone F “UN75 Initiative Releases Findings from First Three Months of Global Dialogue” 23 April 2020

[The Conversation](#): Tortell P “Earth Day at 50: A look to the past offers hope for the planet’s future” 19 April 2020

[The Conversation](#): Knorr W “The age of stability is over, and coronavirus is just the beginning” 16 April 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: Save the Date! Information on the focus will follow soon

Date: 3-5 September 2020

Place: Gauteng

More information will follow – applying the precautionary principle, the conference will only proceed if Covid-19 measures are no longer in place

Free Webinar: IFAT Africa: Meeting changing water needs in SA’s new normal

Date: 29 April 2020

Time: 14:00-15:00 (via Zoom)

[Registration](#)

Question for panellists to [Annelize Niewoudt](#) / 064 759 7637

UWC Plaas Webinar: Covid-19: Impact on small-scale fisheries in South Africa and beyond

Date: 30 April 2020

Time: 13:00

Click [here](#) to join this webinar

WRC: Dialogue on COVID-19 and Beyond: Building Resilience through Transformation and Nexus Approaches

Date: 30 April 2020

Time: 09:00

Connect [here](#)

WRC: Mainstreaming SFD into practice in Africa

Date: 30 April 2020

Time: 14:00:00

Connect [here](#)

Imbewu: Renewable Energy Online Workshop

Date: May 2020

Due to the recent COVID-19 outbreak, IMBEWU is offering an online training workshop on the environmental legal processes applicable to renewable energy projects.

Please see the [course programme](#) for further information.

IMBEWU will present the course online along with video recordings, power point slides and resource materials. Course participants will also be given the opportunity to, via email, direct any questions relating specifically to the content of the workshop to the course presenter, who will respond via return email within 24 hours of receipt of the query.

The course material will be available for subscription in May 2020. Once full payment has been made, the course participant will be provided with a weblink, username and password to access the course material for a limited period of time, as well as detailed instructions on how to access the material. Please email the [booking form](#) to [Lulu](#) or call us on 011 214 0660 for more information

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

The call for papers and the registration for the 2020 Private Law and Social Justice Conference is open. This is the twelfth year that the conference will be held. Over the years we have welcomed conference delegates from all over the

country. The programme will be made available on the website once the call for papers has closed.

You may find information regarding the call for papers and registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Call for abstracts

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

University of Johannesburg, SAIFAC and Animal Law Reform South Africa (ALRSA): Legal Evolution and the New Rights Revolution: Expanding the Sphere of Protection to Animals and the Environment

Date: 3 and 4 December 2020

Place: Johannesburg, South Africa

Abstracts (In Word document not more than 500 words) by 20 April 2020 to [Amy Wilson](#)

Full papers: 15 November 2020

Sustainable Built Environments 2021 Conference – Postponed and New call for abstracts

New date: 16 – 25 February 2021

Venue: ATKV Goudini Spa, Rawsonville, Western Cape, South Africa

More [information](#)

International

University of Essex: Human Rights and Climate Change Workshop

Date: 30 April to 1 May 2020

More [information](#)

Agora Energiewende Webinar series on various aspects of energy system transformations

Date: Tuesdays and Thursdays

More [information](#)

Free Webinar: Copernicus Climate Change Service (C3S) - Energy Indicators

Date: Thursday 7 May 2020

Time: 10:00

For more information contact the WEMC [Secretariat](#)

Click [here](#) to register

Environmental Law Institute Webinar: Breaking News: Maui SCOTUS Decision

Date: 30 April 2020

Time: 12:00 pm - 1:30 pm

Registration fee

More [information](#)

NEWS

National

- **Biodiversity, protected areas and culture**

Sguazzin A “Using millions of maggots to slow down climate change” [IOL](#) 25 April 2020

Mitchley A “Communities reliant on Kruger National Park assisted with food parcels and water tankers” [News24](#) 24 April 2020

Luphuzi Mkhize BV “Marginalisation of indigenous healers” [News24](#) 24 April 2020

“Pictures: Lions 'patrol' the Kruger Park staff village during lockdown” [Business Insider](#) 20 April 2020

- **Climate change and energy**

“South Africa delays first carbon tax payment deadline due to virus crisis” [Carbon Pulse](#) 21 April 2020

Kemm K “Climate Change: Calls for CO₂ reductions are a political force” [IOL](#) 23 April 2020

Burkhardt P “Virus leaves South Africa’s green energy plans in disarray” [IOL](#) 20 April 2020

Kings S “Ramaphosa misses chance to create a better climate future” [Mail & Guardian](#) 23 April 2020

Noël A, Prinsloo L and Burkhardt P “Sasol looks to sell stake in \$13bn Lake Charles project” [BizNews](#) 21 April 2020

- **Local government**

Ensor L “Infrastructure spending cuts are in the pipeline because of Covid-19” [BusinessLive](#) 21 April 2020 [Legalbrief 22 April 2020]

Heneck S “Covid-19: Informal traders will need support after the lockdown” [GroundUp](#) 23 April 2020

Gontsana M-A “Covid-19: Water supply improves in Cape Town’s informal settlements” [GroundUp](#) 21 April 2020

- **Mining**

Secombe A “Court to hear Amcu’s opposition to mining lockdown relaxation” [BusinessLive](#) 22 April 2020

Secombe A “Department issues directives on Covid-19 protection for mineworkers returning to work” [BusinessLive](#) 23 April 2020 [Legalbrief 24 April 2020]

Steyn L “Eskom may not take contracted Wescoal supply amid lockdown” [BusinessLive](#) 21 April 2020 [Legalbrief 22 April 2020]

Steyn L “Eskom declares force majeure on Exxaro coal contracts” [BusinessLive](#) 20 April 2020 [Legalbrief 21 April 2020]

Covid-19 crisis: New mine ‘start-up’ requirements imminent

“Re-starting mining operations in keeping with amendments made on 16 April to the Covid-19 disaster management regulations will entail more than was originally envisaged. According to yesterday’s Department of Mineral Resources media statement, before they resume mining activities companies will be required to develop suitable procedures – ‘in consultation with labour unions’. The statement also draws attention to the importance of ‘adequate social distancing’; introducing and maintaining ‘personal hygiene programmes’; providing employees with ‘appropriate personal protective equipment, including face masks’; and ‘systematically phasing in workers at the mines’. The new requirements are understood to be in keeping with the provisions of sub-section 5(1) of the 1996 Mine Health & Safety Act, which require every employer – ‘as far as reasonably practicable’ – to ‘provide and maintain a working environment that is safe and without risk to the health of employees’. They are also in line with lockdown level 4 requirements outlined yesterday evening by President Cyril Ramaphosa.”

Read full report in Legalbrief Policy Watch 24 April 2020

Smit S “‘More needed’ for miners to work again” [Mail & Guardian](#) 23 April 2020

- **Water, oceans, waste and chemicals**

Cosser M and Sausi K “Clean water is a basic human right – even more so amid a pandemic” [Daily Maverick](#) 23 April 2020

“Water and Sanitation fast track water supply to Madibeng Local Municipality during Coronavirus COVID-19 lockdown” [SA Government](#) 24 April 2020

Ellis E “Water crisis: Nelson Mandela Bay Metro ‘on brink of Day Zero’” [Daily Maverick](#) 23 April 2020

“Water and Sanitation monitors water tank installations during Coronavirus COVID-19 lockdown” [SAGovernment](#) 26 April 2020

- **Miscellaneous**

“Minister Nkosazana Dlamini “Media briefing on risk-based model to address the spread of the Coronavirus” [SA Government](#) 25 April 2020

Burkhardt P “Virus leaves SA’s green energy plans in disarray” [News24](#) 20 April 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“Court Finds American Lobster Fishery Requires Incidental Take Statement for Impacts on Endangered North Atlantic Right Whale” [Lexology](#) 13 April 2020

Hotakainen R “Plan to move beluga whales from Canada to U.S. aquarium sparks controversy” [Science](#) 24 April 2020

Khandelwal S “Environmental Personhood: Recent Developments and the Road Ahead” [The Jurist](#) 24 April 2020

Behl T and Sharma D “Brexit and Animal Welfare: Opportunity or Risk?” [The Jurist](#) 19 April 2020

Bhalla N “Somalia races to save livelihoods as new locust generation spawns” [IOL](#) 20 April 2020

Lakritz T “Stunning wildlife photos that will make you see animals in a whole new light” [Business Insider](#) 23 April 2020

Doward J “British farmers turn to homegrown force to bring in the harvest” [The Guardian](#) 25 April 2020

Carrington D “Insect numbers down 25% since 1990, global study finds” [The Guardian](#) 23 April 2020

Yagoda M “Coronavirus: Watch how wildlife has been affected as animals take to the streets across the world” [The Independent](#) 24 April 2020

Knowles G and Boyle L “Coronavirus: Live animal markets and wildlife trade continue in Asia amid growing calls for crackdown” [The Independent](#) 21 April 2020

Ng K “Coronavirus: Humanity’s ‘intrusion’ into nature led to pandemic, scientist says” [The Independent](#) 25 April 2020

“Merkel bemoans lack of rain as Germany fears for its forests” [Reuters](#) 25 April 2020

“Fires near Chernobyl pose 'no risk to human health', IAEA says” [Reuters](#) 24 April 2020

Biryabarema E “Fears for Uganda's zoo animals as cash dwindles in coronavirus lockdown” [Reuters](#) 23 April 2020

“Poland's biggest nature reserve fights largest fire in years” [Reuters](#) 22 April 2020

Karrim A “Hawks pounce on suspects 'in possession of six rhino horns'” [News24](#) 26 April 2020

“Thailand has record sea turtle hatches with no tourists” [News24](#) 20 April 2020

- **Climate change and energy**

Farge E “Drop in emissions due to pandemic won't fix climate, WMO says” [Reuters](#) 22 April 2020

Simon F “Industry calls for 10% ‘renewable gas’ target in Europe” [EurActiv](#) 22 April 2020

Morehouse C “Broad array of groups sue FERC over PJM MOPR decision as Chatterjee rejects cost, renewable concerns” [UtilityDive](#) 22 April 2020

“China urged to take green exit from virus crisis amid growing domestic resistance” [Carbon Pulse](#) 22 April 2020

Ambrose J “Green energy could drive Covid-19 recovery with \$100tn boost” [The Guardian](#) 20 April 2020

Simon F “Sweden adds name to growing list of coal-free states in Europe” [EurActiv](#) 21 April 2020

“US Delays Oil Pipeline Approvals After Environmental Ruling” [USNews](#) 23 April 2020

“Netherlands targeting additional coal power, industry CO₂ cuts by year-end” [Carbon Pulse](#) 24 April 2020

“Canada delays publication of draft Clean Fuel Standard regulation, citing coronavirus” [Carbon Pulse](#) 24 April 2020

“US Supreme Court to weigh lawsuit next month against RFS [Renewable Fuel Standard] compliance placement” [Carbon Pulse](#) 24 April 2020

Simon F “Questions remain over green aspects of EU recovery plan” [Euractiv](#) 24 April 2020 – read also [here](#)

Gheorghiu I “New York hits the brakes on 2.5 GW solicitation of offshore wind due to Covid-19” [UtilityDive](#) 24 April 2020

“Without Paris-era rules, voluntary carbon market steers own course” [Carbon Pulse](#) 24 April 2020

“New Zealand to review updated Paris Agreement target” [Carbon Pulse](#) 23 April 2020

Smee B “Proposed Queensland coal-fired power plant under cloud over emissions and financing” [The Guardian](#) 23 April 2020

“EU regional funds a vast source of untapped potential for climate spending, say NGOs” [Carbon Pulse](#) 20 April 2020

“Murphy Administration Releases RGGI Strategic Funding Plan” [Carbon Pulse](#) 17 April 2020

Ptak A “Polish priest puts up giant solar cross in climate fight” [Reuters](#) 20 April 2020

“Bankruptcy looms over US energy industry, from oil fields to pipelines” [TimesLive](#) 23 April 2020

Duncan C “Coronavirus: Reductions in air pollution during lockdown could lead to warmer weather, experts say” [The Independent](#) 24 April 2020

Dennis TE “Climate crisis: Norway accused of ‘acting like Trump’ over refusal to set protected Arctic zone in areas where oil firms want to drill” [The Independent](#) 25 April 2020

Boyle L “Climate crisis: Flooding will affect double the number of people globally in ten years” [The Independent](#) 23 April 2020

Abnett K “EU accused of risking climate goals with 'no strings attached' state handouts” [Reuters](#) 24 April 2020

Sun Y and Goh B “China to cut new energy vehicle subsidies by 10% this year” [Reuters](#) 23 April 2020

Eriksen F and Wettengel J “Coronavirus recovery must be tied to climate, innovative mobility, digitalisation – Merkel” [CleanEnergyWire](#) 24 April 2020

Eriksen F “Income from German renewables levy set to fall significantly due to coronavirus – analysis” [CleanEnergyWire](#) 24 April 2020

- **Local government**

“Hawaii air quality ranked one of the cleanest in USA” [eTN](#) 21 April 2020

Wilkes W and Morison R “Smog-Free Skies Allow Germany to Break Record for Solar Power” [Bloomberg Green](#) 20 April 2020

Rajratnam M and Yadav S “Slums in India: Tracing the Contours of Human Rights Obligations” [The Jurist](#) 24 April 2020

Ahmed K “Makeshift oil refineries a necessary evil for locals in north-west Syria” [The Guardian](#) 24 April 2020

Esposito A “Water shortage leaves poorer Mexicans high and dry in coronavirus fight” [Reuters](#) 24 April 2020

- **Mining**

Darby M “Greenpeace takes Arctic oil lawsuit to Norway’s supreme court” [Climate Home News](#) 21 April 2020

Holden E “Of course it could happen again’: experts say little has changed since Deepwater Horizon” [The Guardian](#) 20 April 2020

Hursh A “Supreme Court rules against Montana landowners in Superfund dispute” [The Jurist](#) 21 April 2020

Reid H “DRC to improve safety of artisanal cobalt mining” [BusinessDay](#) 21 April 2020

Mabrose J “America’s fracking boom founders as global prices and demand collapse” [The Guardian](#) 25 April 2020

Gaffen D “When oil became waste: a week of turmoil for crude, and more pain to come” [Reuters](#) 25 April 2020

- **Water, waste, oceans and chemicals**

Cornwall W “‘Hydrologists should be happy.’ Big Supreme Court ruling bolsters groundwater science” [Science](#) 23 April 2020

Lesté-Lasserre C “Coronavirus found in Paris sewage points to early warning system” [Science](#) 21 April 2020

McCarthy Holliday E “Supreme Court rules for ‘middle ground’ interpretation of Clean Water Act permit standard” [The Jurist](#) 23 April 2020

Hurley L “U.S. Supreme Court rejects Trump bid to limit water pollution law” [Reuters](#) 23 April 2020

Koltonowski A “Senate leaders announce \$19.5B water infrastructure legislation” [The Jurist](#) 22 April 2020

Pijbos I “Vic Falls records highest flows in a decade, but Covid-19 lockdown means tourists can't see it first-hand” [Sunday Times](#) 22 April 2020

“Poverty-stricken Guineans displaced by dam project worse off than before” [BusinessDay](#) 19 April 2020

Boyle L “Microplastics found in Antarctic sea ice for first time, scientists say” [The Independent](#) 24 April 2020

- **Miscellaneous**

Carrington D “Air pollution may be ‘key contributor’ to Covid-19 deaths – study” [The Guardian](#) 20 April 2020

Andor MA *et al* “Running a car costs much more than people think — stalling the uptake of green travel” [Nature](#) 20 April 2020

Suresh A and Fischer M “Rethinking Food Insecurity During a Pandemic: An Equity-Based Approach” [The Jurist](#) 25 April 2020

Mauroni A “Federal appeals court rules EPA must assess need for stronger controls on pulp mill toxins” [The Jurist](#) 22 April 2020

George L “Covid-19 disruptions mean millions in Sub-Saharan Africa risk not getting food” [BusinessDay](#) 24 April 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

National

University of Johannesburg Professor / Associate Professor (Private Law)

Closing date: 10 May 2020

More [information](#)

University of the Free State: School of Financial Planning law Senior Lecturer/ Associate Professor/ Professor (2 positions)

Closing date: 15 May 2020

More [information](#)

International

[PhD Position in Carbon Pricing Policies](#)

Catholic University of Leuven

[PhD Student in Law](#)

University of Copenhagen Faculty of Law

[Professorship of Law of Social Security](#)

University of Hamburg Faculty of Law

[Professorship of Criminal Law; including international Criminal Law](#)

University of Hamburg Faculty of Law

- [Research Assistant in Law](#)
- University of Hong Kong Department of Law

[Research Assistant in Law](#)

University of Hong Kong Department of Law

[PhD in Social Sciences](#)

VU University of Amsterdam Faculty of Social Sciences

[PhD Research Fellowship in Development and the Environment](#)

University of Oslo Centre for Development and the Environment

[PhD Fellowship in Human Rights](#)

University of Oslo The Norwegian Centre for Human Rights

[Postdoctoral Fellowship in Innovation and Food Waste Reduction](#)

University of Oslo Centre for Technology, Innovation and Culture

[Research Fellow in Law](#)

Vanderbilt University Law School

The PhD program of the University of Bologna (Italy), “Future Earth, Climate Change and Societal Challenges” is now open for applications

The PhD program is done in collaboration with CMCC, CNR, INGV and the Environmental Regional Protection Agency. The deadline is May 21, 2020 (at 01:00 PM, Italian time).

The PhD program is organized around 4 Themes in the fields of (a) the earth system, (b) impacts, adaptation and vulnerability, (c) Technological innovations for a decarbonized society and (d) Socio-economic and legal studies for mitigation of climate change.

Available positions: 19 scholarships

PhD [Website](#):

3 scholarships founded by CMCC, with the following different research themes:

- Climate downscaling and oceanography: Downscaling of seasonal forecasts for coastal areas of the ocean

The successful applicants will have to carry out the research in Lecce, after the general courses/training period in Bologna.

This research topic is concerned with the development and implementation of new seasonal atmosphere and ocean forecasting capacity in coastal areas by employing numerical models. The activities will exploit the existing Copernicus Climate Service (C3S) Seasonal Forecasting products such as the ones developed by CMCC and downscale them by means of statistical and deterministic (with numerical models) approach in the coastal and marine domains. The numerical models to be used for the ocean will be also the new generation unstructured grid models capable of resolving the coastal geometry in details. The skill of ocean variables from the downscaled seasonal forecasting system will be assessed using observables Essential Climate Variables (ECVs) to develop and provide user-relevant indicators. The coastal seasonal forecasting system capabilities will provide examples of user-relevant products in support of improved ecosystem management, risk management and blue growth.

- Oceanography and marine pollution: Marine pollution modelling and risk mapping.

The successful applicant will carry out the research in Lecce, after the general courses/training period in Bologna.

Oceanographic monitoring and modelling will be used to study the pathways and fate of marine pollutants such as hydrocarbons and marine litter. In this PHD, advanced modelling methods and risk mapping techniques related to tracing pollutants on local and regional scales. The PhD will also consider the coupling of pollutants models with met-oceanographic transport fields from operational oceanography products such as Copernicus Marine Monitoring Environment Service and downscaled high resolution systems. Ensemble and multi-model methods, risk assessment algorithms and eventually the support of decision support systems will be developed. Integration of modelling and observing systems for model validation will be carried out. The PHD will further develop the MEDSLIK-II oil spill community model and the CMCC marine litter model. Possible key questions of the PhD are identified as follows: Which factors affect the dispersion of the pollutants in the marine environment? What happens to the contaminants on the ocean's surface, in the water column and sediments? How do marine pollutants interact with marine habitats? How do they influence marine and maritime resources? What is the rate of fragmentation, biofouling, and sedimentation of plastics? What are the mechanisms of beaching, seabed deposition?

- Ocean predictions: The successful applicant will carry out the research in Bologna. This research scholarship deals with the understanding of wave induced mixing processes and their parameterization in numerical ocean models. The final objective is to improve the coupled wave-current numerical model of the Mediterranean Sea in hindcast and forecasting mode. This project is connected to the Copernicus Marine Environment Monitoring [Service](#).

Please find "How to Apply" and details about courses/training [here](#)

Please see attached RFP (procurement) or visit [here](#). Please contact [Shisley](#) with any questions.

Global Projects Manager, Environmental Products Trading Business, Shell – London

More [information](#)

Chief Executive Officer, Beyond Zero Emissions – Melbourne

More [information](#)

Chief Science Adviser, NZ Climate Change Commission – Wellington

More [information](#)

General Manager, Strategic Engagement and Planning, NZ Climate Commission – Wellington

More [information](#)

2019-2020 STUDENT ESSAY COMPETITION

Submission date **Extended to 30 April 2020**

The ELA Essay Competition is open to any student who is enrolled at a South African higher education institution (including undergraduate and postgraduate programs) or was enrolled in the year prior to submission, but has since completed his/her studies. Evidence of enrolment as a student must be submitted along with the essay. For the purposes of this Essay Competition, a 'South African higher education institution' is such an institution as defined in the Higher Education Act 101 of 1997. Submissions will be considered in two categories: (i) under graduate students and (ii) post-graduate students.

More [information](#)

In this time of Covid-19 we would like to wish you and your dear ones well. All over the world associations are cancelling conferences, workshops etc.

We would like to keep in touch, finding new ways to keep in contact and we shall update you soon in this regard.

In the meantime, keep in contact via our Newsletter, Website and Facebook.

University applications invited: *Annual ELA Environmental Law Excellence Prize for Top Academic Performance in Undergraduate LLB Environmental Law Module*

Faculties and Schools of Law in South Africa are invited to apply to the ELA for financial support towards an annual prize for the top academic achiever in the undergraduate (LLB) environmental law module. This offer is open to all universities in the country that presents Environmental Law as a LLB module.

Applications may be directed to: [Anel du Plessis](#) and [Saritha Marais](#)

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

1 May 2020

Level 4 Lockdown

We wish you and your loved ones well and be safe. Keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club

DIRECTIVES

Disaster Management Act 57 of 2002

- GN 479 in GG 43257 of 29 April 2020 - COVID-19 Occupational Health and Safety Measures in Workplaces COVID-19 (C19 OHS), 2020
- GN R478 in GG 43255 of 29 April 2020 - Directive relating to Essential Goods and Services for Higher Education Institutions published in GN R468 in GG 43237 of 17 April 2020 amended
- Gen Notice 250 in GG 43256 of 29 April 2020 - Mineral Resources and Energy Directions - Measures for the Protection and Safety of Persons

NOTICES

Disaster Management Act 57 of 2002 - GN R480 in GG 43258 of 29 April 2020 - Regulations issued in terms of s. 27 (2) of the Act and repeal of Regulations (GN 318 in GG 43107 of 18 March 2020 as amended)

Statistics South Africa – Gen Notice 248 in GG 43252 of 30 April 2020 - Consumer Price Index, Rate (Base Dec 2016 = 100): March 2020: 4.1

CASES

National

MEB Energy (Pty) Ltd v Ndlambe Local Municipality and Another (466/2020) [2020] [ZAECGHC](#) 30 (28 April 2020) [see also **NEWS**]

Tender and corruption claims – water provision – lack of water

“[27] It is common cause that the scarcity of water within the first respondent and the need to source same presented an emergency. Sight should also not be lost of the fact that the availability of extra funding necessitated a process that would be in line with the available funds. This occurred after the tender in its original form had gone out. It was suggested on behalf of the respondent that this in addition to the emergency that has always been

there, called for a new process of acquisition. That process included calling for further proposals from both the applicant and the second respondent, resulting in none of the parties being treated unfairly. I am inclined to agree with the first respondent in this regard. This in my view amounted to the deviation envisaged in *Regulation 36 (1) (a)*. This is also apparent from one of the requests for authorisation to deviate from the standard Supply Chain Management procurement process dated the 7 February 2020 which recorded that due to the urgency of the project the municipality could not apply the standard Supply Chain Management process. In my understanding, this would have entailed the invitation of fresh tenders. Thereby starting the procurement process from scratch and delaying the process of ensuring that the members of the community within first respondent are provided with the water it urgently needed.”

PUBLICATIONS

National

Dippenaar MA “Environmental Risk Assessment, Monitoring and Management of Cemeteries” (Updated [Report](#) to the WRC May 2018) [IAIA 2020/2021 News | 29 April 2019]

International

Banda ML “Climate Science in the Courts: A Review of U.S. and International Judicial Pronouncements” (ELI [Report](#) April 2020)

Van Klink R *et al* “Meta-analysis reveals declines in terrestrial but increases in freshwater insect abundances” 2020 368(6489) [Science](#) 417-420 DOI: 10.1126/science.aax9931

Eckstein G and Hardberger A “Groundwater Laws and Regulations: A Preliminary Survey of Thirteen U.S. States” 2nd edition (University of Texas School of Law [Report](#))

May J “The Norwegian Constitutional Right to a Healthy Environment in Global Context,” in Fauchald OK and Smith OE (eds) *Mellom Jus Og Politikk* (Grunnloven Fagbokforlaget 2019) available [here](#)

May J and Daly E “Climate Constitutionalism in Courts,” in Jordi Jaria i Manzano et al. eds *Climate Constitutionalism* (Edward Elgar Pub. 2019 available [here](#))

May J, Dayo TO “Environmental Dignity Rights in Nigeria” 2019 25 *Widener L. Rev.* 183 (2019)(with Tiwajopelo O. Dayo) available [here](#);

May J and Daly E “Human Dignity and Environmental Outcomes in Pakistan” 2019 10 *Pakistan L. Rev.* 1 available [here](#)

2020 [European Journal of Risk Regulation](#) – Special Issue: Taming COVID-19 By Regulation

Vonnahme TR *et al* “Effects of a deep-sea mining experiment on seafloor microbial communities and functions after 26 years” 2020 6(18) [Science Advances](#) DOI: 10.1126/sciadv.aaz5922

Rosa L *et al* "Global agricultural economic water scarcity" 2020 6(18) [Science Advances](#) DOI: 10.1126/sciadv.aaz6031

Carter N "Road development in Asia: Assessing the range-wide risks to tigers" 2020 6(18) [Science Advances](#) DOI: 10.1126/sciadv.aaz9619

Trenor John A and Ortnner Helmut (eds) *Contractual Performance and COVID-19 - An In-depth Comparative Law Analysis* (Wolters 2020) – [free access](#)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Mail & Guardian](#): Taylor T and Betrams N "The story of SA's biggest power plant, and its little town" 29 April 2020

[Mail & Guardian](#): Kings S "Eskom lied to hide its deadly levels of pollution" 29 April 2020

[Lexology](#) Fasken: "Five reasons to choose a short form construction contract for Captive Solar Projects" 24 April 2020

- **Mining**

[Lexology](#): Hogan Lovells "South Africa | Why post-COVID-19 is a good time to beneficiate" 24 April 2020

- **Water, oceans, waste and chemicals**

[Lexology](#) ENS: "South Africa: Water and Sanitation Emergency Procurement COVID-19 Disaster Response Directions published" 20 April 2020

- **Miscellaneous**

The Global Access to Justice Project: "*Impacts of COVID-19 on Justice Systems*" available [here](#). Find the survey data [here](#) [Also on South Africa and its neighbours]

"The data collected indicates that human rights violations are being committed under the pretext of curtailing the threat of COVID-19 (31%). Serious doubts are arising about some country's capacity to maintain the rule of law during the pandemic and prevent arbitrary infringement of civil liberties, whether by private individuals, organizations or governmental authorities (4%)." [provided by Anel du Plessis]

ASSAf: Corona [website](#) sharing experiences and knowledge of members

Africa

- **Biodiversity, protected areas and culture**

[Science](#): Gibbons A "Primatologists work to keep great apes safe from coronavirus" 1 May 2020

[Science](#): Stokstad E "Deadly virus turns honey bees into Trojan horses" 28 April 2020

[UNDP](#): Ervin J “Applying the hard lessons of coronavirus to the biodiversity crisis” 27 March 2020

[UNDP](#): Paxton M “The coronavirus threat to wildlife tourism and conservation” 21 April 2020

[Nature](#): Bandell S “Dinosaur tail reveals gigantic swimming predator” 30 April 2020

[The Independent](#): Boyle L “Can tech-savvy tools take down illegal wildlife trafficking?” 2 May 2020

[The Independent](#): Bessone M and Fruth B “Remote cameras are revealing the human impact on rainforest species in Africa” 30 April 2020

- **Local government**

[Place](#): Bhalla N “Coronavirus will travel 'incredibly fast' in Africa's slums, U.N. cities chief warns” 24 April 2020

[Place](#): Goering L “Flood prevention could bring 'huge' payoff as global risks rise” 23 April 2020

- **Mining**

[Lexology](#): “First-step analysis: gas regulation in Egypt” 10 March 2020

Spotlight: the legal framework and licensing regime for mining in Ivory Coast” 9 October 2019

[Lexology](#): “Spotlight: the legal framework and licensing regime for mining in Guinea” 9 October 2019

- **Water, food, waste, oceans and chemicals**

[Reuters](#): Biryabarema E “Lake Victoria's surging water levels threaten hydro dams: Uganda” 1 May 2020

- **Miscellaneous**

[News24](#): “Virus could double food insecurity in nine African countries: UN” 28 April 2020

International

- **Biodiversity, national parks and culture**

[Undark](#): De Bellou L “To Fight Locusts, Historic Rivals India and Pakistan Team Up” 20 April 2020

[The New York Times](#): Anthes E “The Sound of One Shrimp Snapping - How climate change is altering nature’s sonic landscape” 21 April 2020

[Science](#): Hotakainen R “Plan to move beluga whales from Canada to U.S. aquarium sparks controversy” 24 April 2020

[Lexology](#): “Update: Corps Seeks Stay of Montana District Court’s NWP 12 Ruling” 28 April 2020

[Lexology](#): “Lions, Tigers, and Trademarks: IP Lessons from ‘Tiger King’” 28 April 2020

[The Independent](#): Gregory A “Coronavirus: Amazon deforestation could trigger new pandemics, experts warn amid fears over Brazilian land ownership law - ‘We run the risk of a serious environmental reverse during this crisis’, former environment agency chief warns” 1 May 2020

[The Guardian](#): Morss A “‘Not just weeds’: how rebel botanists are using graffiti to name forgotten flora” 1 May 2020

- **Climate change and energy**

Institute for Carbon Removal Law and Policy (American University in Washington, DC): All resources can be accessed via the [website](#)

ICRLP Webinars: Direct Air Capture now [available](#)

Florence School of Regulation Net Zero [podcast](#)” Andris Piebalgs, former EU Commissioner for Energy, discusses how renewable energy is changing global geopolitics – from the EU to China, Russia and Saudi Arabia.

[Lexology](#): “EU Commission Sets out Major Climate and Sustainability Proposals” 27 April 2020

[IRENA](#): “IRENA's Coalition for Action Calls for Green Recovery Based on Renewables” 28 April 2020

[Science](#): Cornwall W “Renewable power surges as pandemic scrambles global energy outlook, new report finds” 30 April 2020

[Science](#): Pennisi E “Starving grasshoppers? How rising carbon dioxide levels may promote an ‘insect apocalypse’” 29 April 2020

[Washington State](#): “Preproposal Statement of Inquiry Code Reviser Use Only CR-101” (October 2017) (Implements RCW 34.05.310) WSR 20-10-057 issued 30 April 2020

“Subject of possible rule making: The Department of Ecology (Ecology) is beginning rulemaking as per the Directive of the Governor #19-18. The purpose of this rulemaking is to create a new rule under Chapter 173-445 WAC Greenhouse Gas Assessment for Projects. This rule will address analysis and mitigation of greenhouse gas emissions for environmental assessments of industrial and fossil fuel projects.”

[Lexology](#): “The Carbon tax is coming (after all)” [Netherlands] 29 April 2020

[Lexology](#): “How hard rock and acid might be the answer to greener power” [Australia] 29 April 2020

[IISD](#) SDG Knowledge Hub: Mead L “Petersberg Climate Dialogue Keeps Momentum towards COP 26” 30 April 2020

[IISD](#) SDG Knowledge Hub: Antonich B “New Zealand’s Updated NDC Informs of Its Zero Carbon Amendment Act” 30 April 2020]

[UNDP](#): Golding J “Economic growth without climate action is no longer feasible” 28 April 2020

[Lexology](#): “The Latest Court Challenge in a Steady Line of Leading Youth-Led Climate Cases” 22 April 2020

[Lexology](#): “EPA Relaxes Part 75 Continuous Emission Monitoring Rules During the COVID-19 Pandemic” [USA] 28 April 2020

[Lexology](#): “Overview of the EU Benchmark Regulation and the Low Carbon Benchmark Regulation” 28 April 2020

[CleanEnergyWire](#): Wettengel J “Europe’s steel industry must invest 100 billion euros for climate neutrality by 2050 – study” 29 April 2020

- **Local government**

[ICLEI](#) City Resilience Stories Webinar Series: “COVID-19: Coping, Learning & Building Urban Resilience” 7 April 2020

[Place](#): Bathaa E “Life after lockdown: Cities around the world roll out their reopening plans” 27 April 2020

[The Guardian](#): Taylor M and Lavalley S “City leaders aim to shape green recovery from coronavirus crisis” 1 May 2020

[The Guardian](#): Greenfield P and Weston P “Wild cities: how can we make space for nature in urban areas? – video” 29 April 2020

- **Mining**

[Lexology](#): “Supreme Court Decides Atlantic Richfield Co. v. Christian” [USA] 20 April 2020

[Place](#): Moloney A “Amazon leaders demand illegal miners stay away to protect tribal lives” 24 April 2020

[Lexology](#): “Spotlight: the legal framework and licensing regime for mining in Ecuador” 9 October 2020

[Lexology](#): “First-step analysis: gas regulation in Denmark” 10 March 2020

[Lexology](#): “Defining best practice for the resources sector in 2020” 29 April 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “Comments on Second Batch of Draft Scope Documents Due June 8” [USA] 23 April 2020

[Lexology](#): “California Argues for State Law in Appeal of Roundup Case” [USA] 21 April 2020

[Lexology](#): “Far-reaching proposals for a more sustainable future: the new Circular Economy Action Plan” 21 April 2020

[Lexology](#): “Licella leads the way in innovative recycling of plastics” 24 April 2020

[Lexology](#): “EPA Tells Platforms to Get Illegal Disinfectants Off Their Sites” 26 April 2020

[IEEE Spectrum](#): Galluzi M “A Glass Nightmare: Cleaning Up the Cold War’s Nuclear Legacy at Hanford” 28 April 2020

[Science](#): Cantwell M “Watch how researchers predict droughts months in advance” 27 April 2020

[Lexology](#): “From the plastics present to a sustainable future” 29 April 2020

[Lexology](#): “COVID-19 - How is the Northern Ireland Environment Agency dealing with Water Discharge Consents” 30 April 2020

[IISD](#) SDG Knowledge Hub: Harlan J *et al* “The 2020 Data Drive: Joining Forces to Report on Progress towards Sustainable Development Goal (SDG) 6” 30 April 2020

[Lexology](#): “SCOTUS Delivers Two Important Environmental Rulings” 27 April 2020

[Lexology](#): “We Finally Have the US Supreme Court Decision in Atlantic Richfield, But Who Really Won?” 24 April 2020

[Lexology](#): “EPA Publishes Draft Risk Evaluation of Perchloroethylene” 28 April 2020

[Lexology](#): “Pre-Trial Inspection Order in Waste Management Case Challenged in the Court of Appeal” [Ireland] 27 April 2020

[News24](#): “Sea for yourself: Coronavirus lockdown reveals flourishing Venice Lagoon ecosystem” 28 April 2020

- **Miscellaneous**

[Lexology](#): “Landowners Can Seek a Cleaner Cleanup in State Court” [USA] 23 April 2020

[Lexology](#): “Cost Protection in Environmental Litigation” [Ireland] 24 April 2020

[Lexology](#): “Earth Day 2020: Fashion Brands Continue Focus on Green Marketing” 24 April 2020

[Lexology](#): “Fashioning a new trend?” 24 April 2020

[Lexology](#): “European Commission links COVID-19 response to Sustainable Finance in its Consultation on Renewed Sustainable Finance Strategy” 24 April 2020

[Natural Justice](#): Adiouma “Earth Day Reminds us that we Borrowed the Earth from our Children” 28 April 2020

[Lexology](#): “Is your environmental investigation “essential”? Environmental services during the COVID-19 pandemic” [Canada] 27 April 2020

[Lexology](#): “The perfect storm and the silver lining: The potential role of renewables in restarting the Canadian economy” 24 April 2020

[IISD](#) SDG Knowledge Hub: Gennari P and Navarro DK “A Bold Call for Action Needed on Measuring SDG Indicators” 28 April 2020

[Worldometer](#) – provided current statistics also on environmental issues

[Nature](#): Tollefson J “Five ways that Trump is undermining environmental protections under the cover of coronavirus” 28 April 2020

[Lexology](#): “Modern trends and challenges for supply chains: emerging technologies and environmental consciousness” 28 April 2020

[IISD](#) SDG Knowledge Hub: Leone F “DESA Announces Preparatory Process for 2020 HLPF Thematic Review” 30 April 2020

[UNDP](#): Jiménez P and Ayala MG “Crowdsourcing meets the needs of vulnerable families” 28 April 2020

[Lexology](#): “Victoria’s COVID-19 emergency measures legislation - planning and environmental implications” [Australia] 28 April 2020

[Lexology](#): “COVID-19: amendments to keep the planning system moving in Victoria” [Australia] 27 April 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: 4-5 September 2020

Place: Gauteng / Virtual

Deadline for abstracts: 31 July 2020

More information will follow

Applying the precautionary principle, the conference will proceed virtually if Covid-19 measures are still in place

The call for papers will be circulated separately.

ELA Annual Student Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: 3 September 2020

Closing date: 31 July 2020

Place: Gauteng / Virtual

The call for papers will be circulated separately.

ELA Streaming Club during lockdown and possibly even beyond

Date and time, Last Tuesday of the month, 20h00 (CAT)

During lockdown ELA members and friends are invited to engage in discussion and thought on pressing environmental issues through the joy of film and documentaries.

How it works:

Each month, a film or documentary will be selected by the ELA for streaming on the last Tuesday of the month at 8pm.

During the streaming, members and friends of the ELA are invited to comment on our Facebook event for live discussion about the film.

After the streaming, members and friends of the ELA are invited to participate in a Zoom discussion about the film, chaired by an ELA executive member, which will include guests with specialised knowledge related to the film or documentary.

ELA Streaming Club First event

The ELA Streaming Club kicks with 'Lawyers, Guns and Honey' of season 1, episode 1, of *Rotten* a Netflix docuseries that 'travels deep into the heart of the food supply chain to reveal unsavoury truths and expose hidden forces that shape what we eat'.

Date: Tuesday, 26 May 2020 at 20h00 (CAT)

A Zoom discussion will follow directly after the episode.

More information will be provided via email, facebook and the website

Imbewu: Renewable Energy Online Workshop

Date: May 2020

Due to the recent COVID-19 outbreak, IMBEWU is offering an online training workshop on the environmental legal processes applicable to renewable energy projects.

Please see the [course programme](#) for further information.

The course material will be available for subscription in May 2020. Once full payment has been made, the course participant will be provided with a weblink, username and password to access the course material for a limited period of time, as well as detailed instructions on how to access the material. Please email the [booking form](#) to [Lulu](#) or call us on 011 214 0660 for more information

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding the call for papers and registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation – Call for abstracts

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

University of Johannesburg, SAIFAC and Animal Law Reform South Africa (ALRSA): Legal Evolution and the New Rights Revolution: Expanding the Sphere of Protection to Animals and the Environment

Date: 3 and 4 December 2020

Place: Johannesburg, South Africa

Abstracts (In Word document not more than 500 words) by 20 April 2020 to [Amy Wilson](#)

Full papers: 15 November 2020

Sustainable Built Environments 2021 Conference – Postponed and New call for abstracts

New date: 16 – 25 February 2021

Venue: ATKV Goudini Spa, Rawsonville, Western Cape, South Africa

More [information](#)

International

CUNY School of Law: Summer courses

More information [here](#)

Webinar on Powering Humanitarian Health Operations: Sustainable Energy Solutions

This webinar will shed light on why access to reliable energy is pertinent for powering health facilities in humanitarian settings, especially in the current COVID context. Presentations from Sustainable Energy for ALL (SEforALL) and Médecins Sans Frontières (MSF) will discuss the importance and options for achieving reliable energy access along with an example of a renewable energy system implementation in health clinics. A renewable energy system specialist will then provide practical guidance for enabling reliable energy supply to build the resilience of health systems.

Date: 13 May 2020

Time: 2:30 pm CEST (check your [local time](#))

This webinar is part of the webinar series “[Sustainable Energy in Humanitarian Settings](#)”. It is organized jointly by the International Committee of the Red Cross (ICRC), energypedia UG and the 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](#)

3rd Copernicus Climate Change Service (C3S) Energy: How the C3S Energy Operational Service can benefit research, energy planning decisions and policy

Tuesday, 19 May 2020

Time: 10:00-12:00BST; 13:00-15:00BST

[Registration](#)

For C3S-Energy Operational Service, please visit the [website](#). If you require any further information, please contact the WEMC [Secretariat](#).

African Network of Constitutional Lawyers Biennial Conference 2020 University of Nairobi, School of Law

Theme: The Paradox of Constitutionalism in Africa: Reflecting on 10 years of the Kenyan Constitution

Dates: 26, 27 & 28 August 2020

The African Network of Constitutional Lawyers (ANCL) in collaboration with the University of Nairobi, School of Law, the Konrad-Adenauer-Stiftung (Nairobi Office), the Democratic Governance & Rights Unit at the University of Cape Town and the Faculty of Law at Stellenbosch University, will be hosting the ANCL biennial conference in 2020 to mark the 10th year anniversary of the 2010 Kenyan Constitution. This conference follows and builds on the discussions initiated at the 2018 conference in Gaborone, Botswana on the theme “Courts, Power and Constitutional Law in Africa”. The conference will offer a reflection on the status of constitutionalism in Africa through the lens of the aspirations, performance and challenges of the making and implementation of the 2010 Kenyan Constitution.

Background Upon its adoption in 2010 the Kenyan Constitution was hailed as one of Africa’s most progressive constitutions, alongside that of the Republic of South Africa from which much inspiration was drawn. The adoption of the Kenyan Constitution marked the culmination of a long constitution-making process dating as far back as 1991 when the Constitution of the time was amended to remove the provision declaring Kenya a one-party state.

The conference will address (but not limit itself to) the following themes:

1. Restructuring the State: Executive power, the Legislature and National Security
2. The constitutionality of constitutional reforms and amendments;
3. Towards a shared understanding of national values and principles
4. Building a culture of human rights through constitutional governance
5. Devolution, reorganizing power and applying principles of equity in resource allocation
6. Access to Justice, Governance and Judicial Reforms
7. Election management and Constitutionalism
8. Land and Environmental Governance through the Constitution
9. Corruption, Public Finance and Management of public resources
10. Securing constitutionalism through Constitutional Commissions.

The 10-year anniversary of the Kenyan Constitution provides a critical moment to deliberate and draw on pan-African lessons and experiences in building, maintaining and advancing constitutionalism and inclusive democratic governance in Africa. The organisers are inviting interested scholars, researchers and lawyers to submit abstracts of maximum 500 words on any of the themes

indicated above. The organisers are specifically interested in papers that adopt an inter-African, inter-disciplinary, comparative approach.

All submissions including panel proposals should be [emailed](#) by July 31, 2019. Successful candidates and panels will be notified by August 30, 2019 and will be required to submit a draft paper March 30, 2020. Based on the feedback received at the conference and the quality of the work, it is envisaged that participants will be given an opportunity to revise their draft papers for publication in an edited collection of chapters on the different themes of the conference.

Frankfurt School - UNEP Collaborating Centre for Climate & Sustainable Energy Finance: Special intake for the green and sustainable finance online programs (in English or German)

Date: from 18th May to 17th November:

- [The Certified Expert in Sustainable Finance \(CESFi\)](#)
- [The Certified Expert in Climate & Renewable Energy Finance \(CECRF\)](#)

The flexible part-time training concept is implemented through the training [platform](#) of Frankfurt School's Sustainable World Academy. After successful completion of one of the accredited courses (each 6 ECTS credits), participants will receive a Certificate by Frankfurt School, one of the leading business universities in Europe.

Registrations are possible until 24th May 2020.

Find out more about the Centre's activities, research and projects at the new [FS-UNEP Centre webpage](#).

IPSOS China webinar: Chinese Life under Covid-19: The Change of Behaviours and Attitudes – David Rao

Date: 6 May 2020

Time: 11am, GMT +1

[Registration](#)

NEWS

National

- **Biodiversity, protected areas and culture**

Carnie T “Big timber accused of unauthorised tree switch” [New Frame](#) 16 April 2020 [Legalbrief Environmental 28 April 2020]

Illegal fishing

“Six Chinese fishing trawlers were detained and issued fines after they entered SA waters illegally. The trawlers were detected entering the SA Exclusive Economic Zone off the Northern Cape coast on 3 April, after being ordered out of Namibian waters by the Namibian authorities.”

The Mercury (subscription needed) Legalbrief 28 April 2020

- **Climate change and energy**

Kemm K “Climate Change: Calls for CO₂ reductions are a political force” [IOL](#) 23 April 2020

Marks V “Eskom’s VW moment – Chris Yelland on under-reporting carbon emissions” [BizNews30](#) April 2020

“Eskom shuts power plant after warning ash dam may collapse” [Mining Weekly](#) 30 April 2020

Arnoldi M “Eskom advises of staged repairs to Kendal’s noncomplying units” [Engineering News](#) 30 April 2020

- **Local government**

Bolnick J “The very least women of Victoria Mxenge should expect is security” [GroundUp](#) 30 April 2020

Washinyira T “Conflict in Philippi over electricity connections” [GroundUp](#) 28 April 2020

Nowicki L “Covid-19: Shifting funds to respond to epidemic will prolong Makhanda water crisis” [GroundUp](#) 29 April 2020

Majola N “Covid-19: “At least something good came out of this lockdown” says settlement resident” [GroundUp](#) 28 April 2020

Yelland C “Shocking charges of serious environmental offences by Eskom - Data supplied by utility described as a ‘gross misrepresentation’ – and no sign of action plan called for by government” [MoneyWeb](#) 28 April 2020 [Legalbrief Environmental 28 April 2020]

- **Mining**

Mutandiro K ““Coronavirus is the last thing to worry about while looking for gold deep inside a mine”” [GroundUp](#) 30 April 2020

Stoddard E “Labour Court orders DMRE to gazette Covid-19 guidelines for the mining industry” [Daily Maverick](#) 2 May 2020

Secombe A “Two-thirds of recalled miners back at work in SA” [BusinessLive](#) 28 April 2020

- **Water, oceans, waste and chemicals**

Kretzmann S “Beaches at risk: Report reveals alarming pollution along Cape Town’s coast” [GroundUp](#) 29 April 2020

Chiguvare B “Covid-19: Vhembe District village without clean water for three weeks” [GroundUp](#) 28 April 2020

Litigation: Bid to appeal Makana landfill ruling

“Makana Mayor Mzukisi Mpahlwa and municipal manager Moppo Mene, who face six months in prison for contempt of court, are seeking leave to appeal a judgment that found they had wilfully ignored a court order to improve the management of the municipal landfill site. A Daily Dispatch report says in their notice of application

for leave to appeal, it is argued that Acting High Court Judge Miki Mfenyana had incorrectly found the municipality had been unable to gainsay photographic and other evidence that suggested the landfill site about 5km north of Makhanda was every bit as bad as it had been before a 2015 judgment. That judgment had ordered them to bring the site in line with requirements of the Constitution, environmental legislation and the conditions of the permit in terms of which the municipality ran the site. In early March, Mfenyana gave Mpahlwa and Mene 30 working days to bring the site in line with the judgment or face going to prison for six months.

Mene contended in his affidavit that they had met most of the terms of the 2015 court order and had appointed a private contractor to manage the site. However, the Daily Dispatch report says just days after he signed his affidavit, the Makana Unity League (MUL) submitted photographic evidence that the perimeter fence remained collapsed, access control and waste screening mechanisms were non-existent, rubbish was not covered daily as required and there were persistent fires on the dump. People, donkeys and dogs were also photographed picking their way through the rubbish unhindered. In the notice for application to leave to appeal, Nettelton Attorneys – representing the two men – said the court had failed to consider documentary evidence setting out the steps the municipality had taken to improve the landfill site over four years. They said there are reasonable prospects another court would come to a different decision to Mfenyana's. MUL's attorney, Brin Brody, has already indicated that the civil society organisation intended fighting the application for leave to appeal and had already filed a notice of opposition. He said they were also considering an application in terms of which they would apply to have the order implemented pending an appeal process."

Full Daily Dispatch report (subscription needed) Legalbrief 29 April 2020

Municipality gets green light for desalination plant

"Ndlambe Municipality has the green light to proceed with the R100m construction of a desalination plant in the drought-stricken area after the Eastern Cape High Court (Makhanda) this week discharged an interim interdict preventing the project from going ahead. A Daily Dispatch report says in March, the losing bidder for the project – Durban-based MEB Energy – obtained an urgent interim interdict to stop the municipality from proceeding with the project because it claimed the tender was irregularly awarded to its competitor, Cape Town-based Quality Filtration Systems. Judge Thamie Beshe has now found that the scarcity of water in the region was indeed an emergency and that a deviation to the tender provided a speedier solution than starting the entire process over. 'There can be no doubt that there is a pressing need for the water crisis to be dealt with and that the provision of water is an essential service to any community.' She found the balance of convenience favoured the municipality 'on whose shoulders the responsibility to provide the community with clean water lies'. She also ruled that the public interest and not just the interest of the bidders and the municipality had to play a role. 'I am of the view that the interest of the community that is served by the first respondent will be best served by the project being carried out as soon as possible.'"

Full Daily Dispatch report (subscription needed) Legalbrief 30 April 2020

- **Miscellaneous**

Finance: JSE expands 'green bonds' segment

"Proposed amendments to the 'green segment' of the JSE's debt listing requirements have been released for comment. According to a document explaining the rationale behind these proposals, they are in line with 'a significant trend locally and internationally' towards impactful, 'responsible' investment."

Read full report in Legalbrief Policy Watch [Legalbrief Environmental 28 April 2020]

More civil matters heard using Zoom

"The extraordinary circumstances of the national lockdown do not mean cases can simply be postponed or removed from the motion court roll. The Herald reports that was the word from Eastern Cape High Court (Port Elizabeth) Judge Glenn Goosen yesterday as he was hearing civil cases via video conferencing. During the second such occasion where civil matters were heard using Zoom, Goosen said it was prudent that all parties involved who could make use of technology to deal with civil matters did so. 'I must mention notwithstanding the extraordinary circumstances of the national lockdown, matters cannot simply be postponed or removed from the court roll by a letter to a presiding officer when these matters should be heard in an open court,' Goosen said. The report notes yesterday was the second time Goosen made use of Zoom and he dealt with 14 matters on the roll. Of those, Goosen gave two judgments, presided over 10 applications and dealt with two *rule nisi* matters and a divorce. In one *rule nisi* matter, Goosen ordered that the parties not present via video conferencing address a letter to the Registrar of the Court and explain their non-appearance. He then postponed the matter to 5 May.

Full report in The Herald (subscription needed) Legalbrief 29 April 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Simões E and Spring J "Brazil to deploy troops to protect Amazon as deforestation surges" [Reuters](#) 29 April 2020

Holpuch A "'Murder hornets' in Washington state threaten bees and whip up media swarm" [The Guardian](#) 2 May 2020

"Northamptonshire oak: Highways England unable to save tree" [BBC](#) 1 May 2020

"Coronavirus: Wild animals enjoy freedom of a quieter world" [BBC](#) 29 April 2020

Baynes C "Microplastics prevent hermit crabs from choosing the best shells" [The Independent](#) 28 April 2020

- **Climate change and energy**

"EU Commission puts off scrutiny of national climate roadmaps as several are late" [Carbon Pulse](#) 28 April 2020

"Czech MEP proposes postponing 2050 EU net zero goal, softens ambition in draft opinion" [Carbon Pulse](#) 30 April 2020

"Global CO2 emissions to see historic drop in 2020 amid virus crisis –IEA" [Carbon Pulse](#) 30 April 2020

Wettengel J “Merkel endorses proposal to raise 2030 EU emission reduction target” [CleanEnergyWire](#) 28 April 2020

Ambrose J “Britain breaks record for coal-free power generation” [The Guardian](#) 28 April 2020

Krukowska E and Martewicz M “Poland’s top power company will cling to coal for decades” [Financial Post](#) 30 April 2020

Nasralla S and Bousso R “Transition to low-carbon energy may accelerate after crisis: Shell” [Reuters](#) 30 April 2020

“New York releases draft RGGI regulation, adds peaking plants above 15 MW” [Carbon Pulse](#) 29 April 2020

“EU should impose extra GHG limits on major emitters, say NGOs” [Carbon Pulse](#) 29 April 2020

Mazengarb M “Taylor, department refuse to release findings of ‘expert panel’ into emissions reductions” [Australia] [Renew Economy](#) 29 April 2020

Reinicke C “Global energy demand is plunging in ‘staggering’ fashion – except for renewables” [Business Insider](#) 1 May 2020

Cockburn H “Sea level rise ‘could threaten nuclear power station’ planned for UK, report claims” [The Independent](#) 1 May 2020

Morton A “Investors call on Australia’s largest oil and gas company to set greenhouse targets” [The Guardian](#) 30 April 2020

Harvey F “UN chief: don’t use taxpayer money to save polluting industries” [The Guardian](#) 28 April 2020

Milman O “Climate experts call for ‘dangerous’ Michael Moore film to be taken down” [The Guardian](#) 28 April 2020

Watts J “Meteorologists say 2020 on course to be hottest year since records began” [The Guardian](#) 27 April 2020

Holden E “Fossil fuel firms linked to Trump get millions in coronavirus small business aid” [The Guardian](#) 1 May 2020

Hannam P “Solar panel installations remain near record rate despite COVID-19” [Sydney Morning Herald](#) 1 May 2020

“Renewables to be only energy growth source in 2020 as markets experience ‘biggest shock since Second World War’” [Mining Weekly](#) 30 April 2020

“Norway wealth fund backs Barclays climate goals amid investor pressure” [Reuters](#) 1 May 2020

“JBIC muddies comments from chief on ending coal finance” [Reuters](#) 1 May 2020

Kerber R “Climate activists claim win as JPMorgan sets timetable for new lead director” [Reuters](#) 2 May 2020

Amelang S “Govt must support green start-ups to ‘strengthen economic immunity’ – report” [Germany] [CleanEnergyWire](#) 29 April 2020

- **Local government**

Hannam P “'Impressive' cold snap to send Sydney's mercury plunging to decade low” [Sydney Morning Herald](#) 30 April 2020

- **Mining**

Boyle L “Trump moves ahead with selling public land to fossil-fuel industry amid coronavirus and oil price freefall” [The Independent](#) 30 April 2020

Volcovici V “U.S. judge halts oil leases due to lack of federal study of water impacts” [Reuters](#) 1 May 2020

O'Malley M and Toscano M “Falling for an old flame: Can Australia really grow through gas?” [Sydney Morning Herald](#) 2 May 2020

Iannuci E “Barrick welcomes court decision over Papua New Guinea gold mine” [Mining Weekly](#) 1 May 2020

Liedtke S “Paladin to release restart plan for Namibia uranium mine in the fourth quarter” [Mining Weekly](#) 30 April 2020

Guanipa M and Cohen L “Wildfires pose heightened risk to Venezuelan crude output” [Reuters](#) 1 May 2020

- **Water, waste, oceans and chemicals**

Baynes C “Sliding glaciers ‘a new threat’ as global warming melts ice” [The Independent](#) 30 April 2020

Davies A “Darling Basin - Irrigators given subsidies under \$4bn Murray-Darling scheme drew more water, study finds” [The Guardian](#) 30 April 2020

Harvey F “Microplastics found in greater quantities than ever before on seabed” [The Guardian](#) 30 April 2020

Smee B “Scientific advice recommending ban on fracking in Lake Eyre basin kept secret and ignored” [The Guardian](#) 29 April 2020

Strauss M and de La Hamaide S “Belgium blames France after finding tonnes of dead fish in river” [Reuters](#) 30 April 2020

- **Miscellaneous**

Lederer EM “UN chief: World should follow South Korea on COVID-19 fight” [Beaumont Enterprise](#) 1 May 2020

Evans C “Coronavirus: Food supply chains 'need a rethink'” [BBC](#) 3 May 2020

Amos J “Coronavirus lockdown reduces UK ground motions” [BBC](#) 2 May 2020

Laing A “Winter pollution raises coronavirus threat for murky Chilean cities” [Reuters](#) 30 April 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

International

TWAS-DFG Cooperation Visit: deadline 18 May 2020

The TWAS-DFG Cooperation Visits Programme provides postdoctoral researchers who have obtained their PhD not earlier than 2015 and are from sub-Saharan Africa, including South Africa, with the opportunity to make a 'Cooperation Visit' to an institute in Germany. The aim of the visit is to initiate research collaboration between African and German scientists with the ultimate goal of developing longer-term links, perhaps through other *Deutsche Forschungsgemeinschaft* (DFG, or German Research Foundation) programmes. Such visits will have a duration of no more than three months and must be undertaken within 12 months of the award.

The deadline for submission is 18 May 2020.

All information, including the online application form, is available [here](#)

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ELA NEWSLETTER 19

8 May 2020

Level 4 Lockdown

We wish you and your loved ones well and be safe. Keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club

BILLS

Upgrading of Land Tenure Rights Amendment Bill, 2020 [B6-2020]

DIRECTIVES

Disaster Management Act 57 of 2002 - Directions and Directives

- GN 510 in GG 43291 of 7 May 2020 - COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities, and where indicated, institutions of Traditional Leadership published in GN R399 in GG 43147 of 25 March 2020 amended
- GN R486 in GG 43265 of 4 May 2020 - Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended
- GN R489 in GG 43268 of 4 May 2020 - Directions for all courts, court precincts and justice service points published and GN R440 in GG 43191 of 31 March 2020 repealed
- GN 487 in GG 43266 of 4 May 2020 - Directions on Essential Financial Services
- GN 483 in GG 43262 of 1 May 2020 - Directions on Once-off Long Distance Inter-Provincial Transport
- GN 495 in GG 43274 of 4 May 2020 - Directions on Once-off Long Distance Inter-Provincial Transport amended
- GN 482 in GG 43261 of 30 April 2020 - Directions on the Once-off Movement of Persons
- GN 513 in GG 43293 of 7 May 2020 - Directions on the once-off movement of persons and the transportation of goods for purposes of relocation
- GN 492 in GG 43271 of 4 May 2020 - Measures to Address, Prevent and Combat the Spread of COVID19: Air Freight Operations Directions, 2020
- GN 493 in GG 43272 of 4 May 2020, amended by GN 504 in GG 43284 of 6 May 2020 - Public Transport Services Directions, 2020 and GN 412 in GG 43157 of 26 March 2020

- GN 494 in GG 43273 of 4 May 2020 - Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Directions, 2020 published and GN 414 in GG 43159 of 26 March 2020 repealed
- GN 496 in GG 43275 of 4 May 2020 - Sea Ports Directions, 2020 published and GenN 173 in GG 43103 of 18 March 2020 and GenN 216 in GG 43163 of 26 March 2020 as amended by GN 453 in GG 43211 of 7 April 2020 repealed

NOTICES

Department of Mineral Resources and Energy – Gen Notice 253 in GG 43282 of 5 May 2020 - *Association of Mineworkers and Construction Union v Minister of Mineral Resources and Energy and Others* LC J427/2020, Standard Operating Procedure for South African Mines Following Covid-19 Lockdown and Guiding Principles on Prevention and Management of COVID 19 in SAMI

Local Government: Municipal Finance Management Act 56 of 2003 - GN 503 in GG 43281 of 5 May 2020 - Conditional exemption of municipalities and municipal entities from Regulations 4(3) and 29(2) of the Municipal Supply Chain Management Regulations, 2005

Superior Courts Act 10 of 2013 – Gen Notice 254 in GG 43283 of 6 May 2020 - Directives for the Management of Courts during the National State of Disaster Period published and GN 246 in GG 43241 of 21 April 2020 repealed

Commissions Act 8 of 1947 - Proc 18 in GG 43297 of 8 May 2020 - Terms of reference of the Judicial Commission of Inquiry into allegations of state capture, corruption and fraud in the Public Sector including Organs of State amended

Petroleum Products Act 120 of 1977 - GN R497 in GG 43276 of 5 May 2020 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers

Petroleum Products Act 120 of 1977 - GN R498 in GG 43276 of 5 May 2020 - Regulations in respect of petroleum products published in GN R433 in GG 43185 of 31 March 2020 substituted with effect from 6 May 2020

Petroleum Products Act 120 of 1977 - GN R499 in GG 43276 of 5 May 2020 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 6 May 2020

Electricity Regulation Act 4 of 2006 - GN 500 in GG 43277 of 5 May 2020 - Draft regulations amending the Electricity Regulations on New Generation Capacity, 2011 - for comment

PROVINCES

Eastern Cape

Disaster Management Act 57 of 2002 - PN 76 in PG 4409 of 4 May 2020 - Nelson Mandela Bay Metropolitan Municipality - Declaration of a Local State of Disaster in respect of drought and water shortages

CASES

National

Sidoyi and Others v Eskom Holdings Limited (3822/2017) [2020] [ZAECHMHC](#) 14 (5 May 2020)

[1] “In this matter the crux and only point for determination is whether or not the electricity installations to the applicant’s homes were lawfully installed.”

Association of Mineworkers and Construction Union v Minister of Mineral Resources and Energy and Others (J427/2020) [2020] [ZALCJHB](#) 68 (4 May 2020)

“1. The Second Respondent’s decisions not to:

1.1. require employers to prepare and implement a code of practice on the Covid-19 viral pandemic present and spreading in South Africa in terms of section 9(2) of the Mine Health and Safety Act, 1996 (MHSA); and

1.2. issue guidelines in terms section 9(3) of the MHSA, are reviewed and set aside.

2. The Second Respondent is directed by no later than 18 May 2020 to publish a notice (“the Notice”) in the Government Gazette –

2.1. containing guidelines in terms of section 9(3) and 49(6) of the MHSA; and

2.2. in terms of section 9(2) thereof requiring employers (as defined in the MHSA) to prepare and implement a code or codes of practice, to mitigate the effect of the outbreak of Covid-19 on the health and safety of employees (as defined in the MHSA) and persons who may be directly affected by the disease at the mine.

3. Before publishing the Notice in terms of paragraph 2, the Second Respondent shall:

3.1. consult with the Mine Health and Safety Council, if constituted at the date of the order of this court;

3.2. elicit and consider all available expert advice, including but not limited to the expert opinions of Professors Ehrlich, Murray, Naidoo, Sonnenberg, and Rees contained in the Applicant’s papers;

3.3. meaningfully engage with the relevant trade unions, including but not limited to the Applicant, relevant employer organisations, including but not limited to the Fourth Respondent, Mining Affected Communities United in Action, and such other interested persons as the Second Respondent may determine regarding the content of the guidelines;

3.4. consider the directions issued by the First Respondent on 29 April 2020 in terms of regulation 10(8) of the regulations issued in terms of section 27(2) of the Disaster Management Act No. 57 of 2002 (“the Directions”); and

3.5. after having completed the steps in paragraphs 3.1 to 3.4, but no later than 11 May 2020, publish the draft guidelines for public comment.”

[WildEarth Guardians v. U.S. Bureau of Land Management](#), No. 4:18-cv-00073 (D. Mont. May 1, 2020)

“The federal district court for the District of Montana vacated 287 oil and gas leases issued by the U.S. Bureau of Land Management (BLM) in December 2017 and March 2018 because the environmental assessments for the lease sales failed to meet National Environmental Policy Act (NEPA) requirements, including by failing to take a hard look at cumulative climate change impacts. The court said BLM should have catalogued past, present, and reasonably foreseeable actions and analyzed their combined environmental impact but that in this case the four environmental assessments for each of the planning areas did not discuss the other areas even though the EAs covered land sold in the same lease sale. Noting this failure to catalogue even other federal agency projects, the court rejected BLM’s arguments that compliance with NEPA’s cumulative impacts requirements was “impossible.” In addition, the court said neither the “tiering” of the EAs to the resource management plans for the planning areas nor the placing of an individual lease sale’s greenhouse gas emissions in context with statewide and national emissions satisfied cumulative impact requirements. Although the court acknowledged that climate change “certainly poses unique challenges in the cumulative impact analysis,” the court said the “large-scale nature of environmental issues like climate change show why cumulative impacts analysis proves vital to the overall NEPA analysis.” The court stated: “[I]f BLM ever hopes to determine the true impact of its projects on climate change, it can do so only by looking at projects in combination with each other, not simply in the context of state and nation-wide emissions.” In addition to the shortcomings in the cumulative climate impacts analysis, the court found that BLM did not take a hard look at groundwater impacts and failed to provide an adequate explanation for its decision not to consider alternatives suggested by one of the plaintiffs that included groundwater protection measures.” [Source: May 2020 Sabin Center for Climate Change Law Update]

[Bark v. U.S. Forest Service](#), No. 19-35665 (9th Cir. Apr. 3, 2020; request for publication granted May 4, 2020)

“The Ninth Circuit Court of Appeals reversed a federal district court in Oregon and held that the U.S. Forest Service’s (USFS’s) decision not to prepare an environmental impact statement (EIS) for a forest thinning project in Mount Hood National Forest was arbitrary and capricious. The appellate court found that the USFS had failed to “engage with the considerable contrary scientific and expert opinion” identified in public comments on the environmental assessment (EA) concerning forest thinning’s effectiveness in suppressing wildfires. The Ninth Circuit also said the EA did not sufficiently identify and analyze cumulative impacts. The Ninth Circuit concluded that both of these factors raised “substantial questions” about whether the project would have significant effects and that an EIS was therefore required. The Ninth Circuit did not directly address the issue of the project’s effects on climate change, an issue about which the district court concluded the USFS had undertaken a “thorough

examination.” [Source: May 2020 Sabin Center for Climate Change Law Update]

[Friends of the Santa Clara River v. County of Los Angeles](#), No. B296547 (Cal. Ct. App. Apr. 3, 2020)

“The California Court of Appeal rejected the argument that Los Angeles County needed to prepare supplemental analysis under CEQA of the impacts on water resources of the first two phases of the proposed Newhall Ranch development to take into account recent historic drought, record high temperatures, and “accumulating data” on climate change’s regional and global effects. The appellate court found that the County was “well aware of the threat posed by climate change” when it certified EIRs in 2011 and that post-2011 data were “consistent with the range of projections considered in 2011.” [Source: May 2020 Sabin Center for Climate Change Law Update]

[WildEarth Guardians v. Bernhardt](#), No. 1:20-cv-01035 (D.D.C., filed Apr. 21, 2020)

“WildEarth Guardians filed a lawsuit in federal district court in the District of Columbia asserting that the U.S. Fish and Wildlife Service had violated the Endangered Species Act and the Administrative Procedure Act by failing to make final determinations on the organization’s petitions to list five aquatic species that inhabit western rivers and riparian ecosystems. The complaint alleged that climate change was one of the factors threatening the existence of three of the species.” [Source: May 2020 Sabin Center for Climate Change Law Update]

[Packham v. Secretary of State for Transport](#), [202] EWHC 289 (Admin) (High Court of Justice, Queen’s Bench Division)

“On April 6, a British court rejected an attempt to halt a railway project on the ground that the project assessment had not adequately considered greenhouse gas emissions.” [Source: May 2020 Sabin Center for Climate Change Law Update]

[Bushfire Survivors for Climate Action Incorporated v. Environmental Protection Authority](#) (New South Wales Land and Environment Court)

“On April 20, 2020, Bushfire Survivors for Climate Action brought a civil enforcement proceeding to compel the New South Wales Environmental Protection Authority to regulate greenhouse gas emissions. The plaintiffs, represented by the New South Wales Environmental Defenders Office, are Australians who allege that they have been harmed by bushfires made likely or more intense by climate change. According to news reports, the case was brought under the New South Wales Protection of the Environment Operations Act 1997, which requires the Environmental Protection Authority to “develop environmental quality objectives, guidelines and policies to ensure environment protection.” [Source: May 2020 Sabin Center for Climate Change Law Update]

PUBLICATIONS

National

Grobler L and Schenk R “’n Verkenning van aardsistemiese kwesbaarheid binne die konteks van afvalstortingsterreine in die Antroposeen / An exploration of earth system vulnerability in the context of landfills in the Anthropocene” 2020 60(1) *Tydskrif vir Geesteswetenskappe*, doi.10.17159/2224-7912/2020/v60n1a13

International

"Environmental Law at 50: A Cutting Edge Journal Examining the Central Issues of Our Time" to be found [here](#)

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Blumm MC and Roberts RJ "Oregon's Amphibious Public Trust Doctrine: The Oswego Lake Case" 2020 50(4) [Environmental Law](#)

Raymond C, Matthews T and Horton RM “The emergence of heat and humidity too severe for human tolerance” 2020 6(19) [Science Advances](#) DOI: 10.1126/sciadv.aaw1838

Seidel SD and Da Yang “The lightness of water vapor helps to stabilize tropical climate” 6(19) [Science Advances](#) DOI: 10.1126/sciadv.aba1951

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Siegel M and Loznak A “Survey of Greenhouse Gas Considerations in Federal Environmental Impact Statements and Environmental Assessments for Fossil Fuel Related Projects, 2017-2018” (Sabin Centre for Climate Change Law [Report](#) November 2019)

Gerrard MB “The Role of Lawyers in Decarbonizing Society” 2020 [Stanford Law Review](#)

Burger M, Wentz J and Horton R “The Law and Science of Climate Change Attribution 2020 45 [Colum. J. Env'tl. L.](#) 57

Andres RNL *Managing the Environment, Managing Ourselves: A History of American Environmental Policy* 3rd edition (Yale University [Press](#) 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Business Insider](#): “Wild Video: Vultures fight off a cheetah, but then a lion enters the battle” 5 May 2020

[The Conversation](#): Naude V, Balme G and Bishop J “Exploitation changes leopard behaviour with long-term genetic costs” 10 May 2020

[The Conversation](#): Wingfield MJ, Wingfield B and Crous CJ “Tree diseases can change entire landscapes and must be taken seriously” 4 May 2020

- **Climate change and energy**

[The Conversation](#): Scholes R “Choices in a fog of uncertainty: lessons for coronavirus from climate change” 7 May 2020

KAS carbon pricing online event: The recording of the event of Monday 20 April, 15h00 to 16h30, South African time / CET is now [available](#) [provided by Andrew Gilder ClimateLegal]

Africa

- **Biodiversity, protected areas and culture**

[IUCN](#): “IUCN deplores the brutal killing of 17 people in Virunga National Park” 30 April 2020

[AllAfrica](#): Mboya E “Kenya: Bird Defies the Odds to Fly 8,000km From Kenya to China” 8 May 2020

[The Independent](#): Dalton J “‘We must avert this threat’: We have to protect great apes from coronavirus” 6 May 2020

- **Climate change and energy**

IOL: Ayuk NJ “The Way Forward: How Africa can make a comeback from the oil, gas downturn” 5 May 2020

- **Local government**

[IISD](#) SDG Knowledge Hub: Khatib-Othman H and Elhadj As Sy “Achieving Public Health Equity – Start with Sanitation and Hygiene for All” 7 May 2020

[The Conversation](#): Hirvonen K and Headey D “Why ‘home garden’ projects don’t always work. Insights from Ethiopia” 4 May 2020

- **Mining**

[Lexology](#): “Spotlight: the legal framework and licensing regime for mining in Mozambique” 9 October 2019

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[Scientific American](#): Lewis M “How ‘Sustainable’ Development Ravaged the Congo Basin” 1 May 2020

[BusinessLive](#): Sguazzin A, Marawanyika G and Jing Li “As others shun African coal projects, China gets \$4bn Zimbabwe project under way” 7 May 2020

- **Water, food, waste, oceans and chemicals**

[Mail & Guardian](#): Kings S “Flooding cuts power in Uganda” 6 May 2020

[AllAfrica](#): Tekle T-A “Egypt Lodges Complaint to UN Security Council Over Ethiopia's Plan to Fill Dam” 8 May 2020

[AllAfrica](#): Oloruntuba B “Nigeria: The Alchemy of Hope – An Entrepreneurial Couple Turn Plastic Waste into Brighter Futures” 4 May 2020

[The Conversation](#): Bakare A “Why Nigeria needs to manage electronic waste better” 4 May 2020

International

- **Biodiversity, national parks and culture**

[National Geographic](#): Main D “A closer look at lion evolution offers hope for saving the big cats” 5 May 2020

[IUCN](#): “Protect sport by taking care of biodiversity, says new IUCN guide supported by the IOC” 22 April 2020

[Lexology](#): “FWS Lists Last Known Population of Rare Butterfly” [USA] 6 May 2020

[Science](#): Heidt A “Bizarre behavior shows—for the first time—how wild koalas drink” 5 May 2020

[Business Insider](#): Martin W “The US is being colonised by 'murder hornets,' - a large insect that can kill humans and behead bees” 5 May 2020

[The Jurist](#): Frye BL “The King of Tragicomedy” 9 May 2020

The FPCA [Blog](#): Wrigley S and Duthie T “The illegal wildlife trade is still one of the most profitable criminal enterprises” 27 April 2020

- **Climate change and energy**

[Lexology](#): “With Most State Capitols Closed, Some States Press Forward on Clean Energy Legislation” [USA] 1 May 2020

[Lexology](#): “Hailing all rideshare: The California Clean Miles Standard is set to hit the road this year” 27 April 2020

Lexology: “Australia: NSW Planning changes to support growth in storage and renewable energy projects” 29 April 2020

[IISD](#) SDG Knowledge Hub: Mead L “AOSIS Forum Calls for “Year of Ambition” on Climate Action” 7 May 2020

[Science](#): Cornwall W “Lethal levels of heat and humidity are gripping global ‘hot spots’ sooner than expected” 8 May 2020

[Science](#): Service RF “Artificial chloroplasts turn sunlight and carbon dioxide into organic compounds” 8 May 2020

[Science](#): Service RF “Making commodity chemicals requires fossil fuels. New devices could do it with renewables” 4 May 2020

[Lexology](#): “More climate in the courts: UK” 6 May 2020

- **Environmental enforcement**

[Lexology](#): “Pennsylvania continues to enforce all environmental laws and regulations during COVID-19 pandemic” 23 April 2020

[Lexology](#): “Implications of COVID-19 for legal procedures under Austrian Environmental Law” 4 May 2020

[Lexology](#): “Environmental Diligence During a Pandemic Lockdown: Examining the Permissibility of Environmental Site Visits Under Covid-19 StayAt-Home Orders” 28 April 2020

[Lexology](#): “Vietnam environmental law: Environmental protection assessment by foreign-invested enterprises” 12 April 2020

[Lexology](#): “European Union Justice Commissioner Commits to Regulation on Corporate Human Rights and Environmental Due Diligence” 29 April 2020

[Science](#): Chandrashekhar V “India’s push to relax environmental assessment rules amid pandemic draws criticism” 7 May 2020

- **Local government**

[ICLEI](#) Ecomobility: Covid-10 transport resources: Keep cities moving

[ICLEI](#) CityTalk: Cheng T-J “Restoring trust in public transport: the way forward” 2 May 2020

[ICLEI](#) CityTalk: Hintz J “How Helsinki cut food transport emissions using sustainable procurement” 4 May 2020

[ICLEI](#) CityTalk: Vigran E “The data gap: What we still don’t know about urban freight” 4 May 2020

[ICLEI](#): “ICLEI and UITP partner to promote sustainable, accessible and safe mobility” 30 April 2020

Sustainable Procurement [Platform](#): “Unlocking the Potential for Sustainable Urban Development and Local Economic Growth” 24 April 2020

[Lexology](#): “Inside track: Local Government” [Australia] 6 May 2020

- **Mining**

[Lexology](#): “First-step analysis: gas regulation in Greenland” 10 March 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “In the midst of COVID-19, attorneys general of 18 States urge stronger EPA Action on PFAS” [USA] 23 April 2020

[Lexology](#): “New Jersey Enacts Food Waste Recycling Mandate - Implementation Issues on Horizon” 3 May 2020

[Lexology](#): “How to protect Yourself against the “environmental ambulance chaser” defending Clean Water Act citizen suit” [USA] 4 May 2020

[Lexology](#): “Regulating Microplastics in Drinking Water: California Retains its Vanguard Status” 6 May 2020

[Lexology](#): “COVID-19 Risk Awareness: Addressing Workplace Water Systems as Employers Restart Operations” [USA] 6 May 2020

- **Miscellaneous**

Vermont Law School: “Implications of Implicit Racial Bias for Environmental Justice” lecture from Justice Anita Earls, you can watch the recording, available [here](#).

[Lexology](#): “COVID-19 Recovery (Fast Track Consenting) Bill being drafted” 4 May 2020

[National Geographic](#): Grescko M “Closest black hole to Earth found 'hiding in plain sight” 6 May 2020

[IISD](#) SDG Knowledge Hub: Leone F “Public Consultations Underway on Releasing More SDG Finance” 7 May 2020

[Science](#): Heidt A “Our Moon is not as ‘dry’ as we thought” 8 May 2020

[The Jurist](#): Kumar A “Covid-19: China’s Responsibility and Possible Legal Actions” 10 May 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: 4-5 September 2020

Place: Gauteng / Virtual

Deadline for abstracts: 31 July 2020

More information will follow

Applying the precautionary principle, the conference will proceed virtually if Covid-19 measures are still in place

The call for papers will be circulated separately.

ELA Annual Student Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: 3 September 2020

Closing date: 31 July 2020

Place: Gauteng / Virtual

The call for papers will be circulated separately.

ELA Streaming Club during lockdown and possibly even beyond

Date and time, Last Tuesday of the month, 20h00 (CAT)

During lockdown ELA members and friends are invited to engage in discussion and thought on pressing environmental issues through the joy of film and documentaries.

How it works:

Each month, a film or documentary will be selected by the ELA for streaming on the last Tuesday of the month at 8pm.

During the streaming, members and friends of the ELA are invited to comment on our Facebook event for live discussion about the film.

After the streaming, members and friends of the ELA are invited to participate in a Zoom discussion about the film, chaired by an ELA executive member, which will include guests with specialised knowledge related to the film or documentary.

ELA Streaming Club First event

The ELA Streaming Club kicks with 'Lawyers, Guns and Honey' of season 1, episode 1, of *Rotten* a Netflix docuseries that 'travels deep into the heart of the food supply chain to reveal unsavoury truths and expose hidden forces that shape what we eat'.

Date: Tuesday, 26 May 2020 at 20h00 (CAT)

A Zoom discussion will follow directly after the episode.

More information will be provided via email, facebook and the website

UWC Plaas Webinar: Subjects and citizens in the time of Covid-19

Date: Thursday 14 May 2020 at 13:00

[Link](#) to webinar

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

Sustainable Built Environments 2021 Conference – Postponed and New call for abstracts

New date: 16 – 25 February 2021

Venue: ATKV Goudini Spa, Rawsonville, Western Cape, South Africa

More [information](#)

International

ICLEI virtual conference: Daring cities – The Global Virtual Forum for Urban Leaders Taking on the Climate Emergency– free attendance

Dates: 7-29 October 2020

ICLEI and the City of Bonn are transforming Daring Cities 2020 into a one-of-a-kind virtual experience - the world's first and largest online gathering on climate change for urban leaders tackling the climate emergency globally, especially in light of the Coronavirus pandemic.

Daring Cities 2020 will run for a three-week period, from 7-28 October 2020, offering an online array of high level and visionary speakers, a series of informative workshops and personal networking opportunities. The event will include a variety of virtual formats to accommodate different topics, time zones, internet bandwidth limits, and languages.

[Register your interest](#) to be the first to be notified when our individual program events open for registration.

Because of the generous support of our partners, Daring Cities 2020 remains completely free for participants to attend.

Webinar on Powering Humanitarian Health Operations: Sustainable Energy Solutions

This webinar will shed light on why access to reliable energy is pertinent for powering health facilities in humanitarian settings, especially in the current COVID context. Presentations from Sustainable Energy for ALL and Médecins Sans Frontières will discuss the importance and options for achieving reliable

energy access along with an example of a renewable energy system implementation in health clinics. A renewable energy system specialist will then provide practical guidance for enabling reliable energy supply to build the resilience of health systems.

When: 13 May 2020

Tmat 2:30 pm CEST (check your [local time](#))

Register [here](#)

#AfricanMobilityMonth 2020: Re-imagining the Future of Mobility in African Cities

Date: 18 September – 18 October 2020

AfricanMobilityMonth 2020 will take place from 18 September to 18 October and is centred around the above theme, with a particular focus on health and wellbeing. This comes in light of the immense and abrupt changes that the world has experienced in the last few months due to the COVID-19 global pandemic.

Through the mobility pathways of accessibility, people-centred, low carbon mobility, and policy and planning, we're aiming to elevate individual and collective health and wellbeing stories, ideas, projects and initiatives to spark conversations and highlight the importance of embedding this in future mobility development.

More [information](#)

ICLEI Webinars: Accelerating ambitious climate action in the post-pandemic world - 4th LGMA webinar towards COP26

Date: 13 May 2020

Yunus Arian, Head of ICLEI Global Advocacy orients local governments on the important issues of multilevel governance and where we are in the global climate negotiations.

We are honored to be joined by two special guest speakers: Gonzalo Muñoz and Nigel Topping, High-Level Climate Action Champion for COP25 and COP26, respectively, who will share their thoughts on the role of local governments in the climate negotiations process.

10:00 AM CET

4:00 PM CET

ICLEI Webinars: Post 2020 Local and Subnational Government Information Webinars - May

Date: 14 May 2020

Join ICLEI CBC for this Post 2020 information series, with monthly webinars to keep the local and subnational government constituency, networks, and partners up to date on key milestones and the participatory preparation process of the Post 2020 Global Biodiversity Framework on the roadmap to COP 15.

10:00 AM CEST

03:00 PM CEST

International Conference: Contemporary Challenges in Administrative Law From An Interdisciplinary Perspective

Date: 9 October 2020

Place: Bucharest

More [information](#)

Join the 3rd edition of the THERMOS thermal planning training

Energy planners and authorities interested in conducting better heating and cooling planning in support of local sustainable energy and climate action plans, can now benefit from the 3rd edition of the THERMOS online Training Programme. [Sign up](#) for free and conduct the online exercises in your own time until 15 June.

From theory to practice: Benefit from exclusive support from THERMOS partners and energy planning experts in developing and improving your own case studies with the THERMOS open-source software to enable a faster upgrade, refurbishment and the expansion of existing infrastructure or develop new networks.

For more information and [feedback](#) from previous training editions visit the [THERMOS website](#), or sign up directly [here](#).

NEWS

National

- **Biodiversity, protected areas and culture**

Smillie S “Pangolin immune system may shed light on how to defeat Covid-19” [Daily Maverick](#) 8 May 2020

“Lockdown: Eastern Cape MEC's bodyguard among 5 arrests for illegal hunting on East London farm” [News24](#) 10 May 2020

- **Climate change and energy**

Energy: New 2 500MW nuclear plant still possible

“The Department of Mineral Resources & Energy will sound out the market to determine the appetite for a 2 500MW nuclear plant as allowed for in government's Integrated Resource Plan (IRP). A Business Day report says Minister Gwede Mantashe and officials of the department briefed Parliament's Portfolio Committee on Mineral Resources & Energy on the annual strategic plan yesterday. The IRP was cautious and said the government would ‘commence preparations for a nuclear build programme to the extent of 2 500MW at a pace and scale that the country can afford because it is a no-regret option in the long term’. In response to questions from MPs on the prospects of the programme becoming a reality, Mantashe said that he is open to proposals on a nuclear build plan. ‘Renewable energy was developed by the private sector because there is appetite for it in the market. If a company wants to produce a modular reactor they can make a proposal. This could be on a build, operate, transfer model, which means that there will be no immediate call for financing. All we are saying is that we are exploring all options and if there is appetite in the market for it we will do it,’ he said.”

Full Business Day report (subscription needed) Legalbrief 8 May 2020

Carnie T “Enjoy the fresh air while it lasts! Lockdown causes drop in SA air pollution” [GroundUp](#) 8 May 2020

Kings S “Covid carbon drop hides mass pollution by only 100 corporations” [Mail & Guardian](#) 7 May 2020

Steyn L “Stake in Sasol’s Lake Charles plant is on the chopping block” [BusinessLive](#) 3 May 2020

- **Local government**

Legislation: Bill aims to halt municipal corruption

“The Local Government Municipal Structures Amendment Bill plans to halt municipal corruption by setting up committees to control finance-related matters. A **Cape Argus** report says the compulsory setting up of municipal public accounts committees is one of the proposals in the Bill. During a presentation to Parliament’s Standing Committee on Local Government, head of the Department of Co-operative Governance, Kevin Naidoo, said: ‘Municipal public accounts committees will be required to review the AG’s reports and make recommendations to the council on how to deal with matters raised in these reports. **The committees will also be required to investigate and report on any matter affecting the municipality when prompted by the council to do so and also initiate and develop the oversight report.**’ Naidoo said that mayors, their deputies, members of municipal executive committees, speakers, chief whips and municipal officials would not be allowed to serve on the committees. The Bill also calls for sanctions for unscrupulous councillors, with the IEC’s senior manager for electoral matters, Granville Abraham, adding: ‘The amendments also want to forbid councillors, who were removed from office for breaching the code of conduct, and from becoming councillors again for a period of two years.’”

Full Cape Argus report (subscription needed) Legalbrief Forensic 9 May 2020

“Africa’s wealthiest city says one-million people need food aid” [Engineering News](#) 8 May 2020

- **Mining**

Secombe A “Amcu gets court backing for Covid rules on miners and government” [BusinessLive](#) 3 May 2020

Slater D “Scoping study shows positive result for proposed Blyvoor tailings retreatment project” [Mining Weekly](#) 7 May 2020

- **Water, oceans, waste and chemicals**

Zuzile M “Water and sanitation department probes alleged dodgy deals worth billions” [TimesLive](#) 7 May 2020

Manyane M “Forensic reports into alleged abuse of R230m drought funds damn Amatola Water CEO” [IOL](#) 10 May 2020

Kretzmann S and Joseph R “Coca-Cola and Cape Town’s sweetheart Day Zero deal” [GroundUp](#) 8 May 2020

Reddy M and Sole S “Lindiwe Sisulu accused of flushing out officials blocking her advisor’s pet project” [amaBhungane](#) 8 May 2020

- **Miscellaneous**

Tsungu A, Mazarura T and Heywood M “World Food Programme head warns of ‘multiple famines of biblical proportions’” [Daily Maverick](#) 8 May 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Giordano C “UK’s largest bird of prey returns to England for first time in 240 years - White-tailed eagles last seen on Isle of Wight in 1780” *The Independent* 7 May 2020

Bhengu C “Rwandan rebels accused of killing 12 rangers in Virunga National Park, DRC” [TimesLive](#) 8 May 2020

Salamacha R “Federal appeals court allows US military base construction in Okinawa despite environmental concerns” [The Jurist](#) 8 May 2020

Dalton J “Coronavirus: WHO backs away from ban on live wildlife markets, prompting warnings over emergence of new diseases” [The Independent](#) 9 May 2020

Dalton J “Coronavirus: Industrial animal farming has caused most new infectious diseases and risks more pandemics, experts warn” [The Independent](#) 9 May 2020

Boyle L “Hong Kong customs officials seize record £7m shipment of endangered shark fins” [The Independent](#) 9 May 2020

Osborne S “Calls to shut down fur trade after mink become infected with coronavirus” [The Independent](#) 5 May 2020

Dalton J “Coronavirus: Surge in poaching of endangered rhinos, jaguar and pumas as hunters emerge during lockdown” [The Independent](#) 5 May 2020

Cox L “Australian government stops listing major threats to species under environment laws” [The Guardian](#) 7 May 2020

Greenfield P “Conservation in crisis: ecotourism collapse threatens communities and wildlife” [The Guardian](#) 4 May 2020

Weinmann L “Coronavirus: TikTok challenge lifting zookeepers' spirits” [BBC](#) 10 May 2020

Morris J “Felling of 'wonderful' Devon bluebell wood investigated” [BBC](#) 9 May 2020

“Deforestation in Brazil's Amazon surges, Bolsonaro readies troops” [Reuters](#) 8 May 2020

“Harpy Eagle hatches in Brazil refuge, bringing hope for species” [Reuters](#) 8 May 2020

Meijer W “How COVID-19 changes perceptions of trade in wildlife” [Greenbiz](#) 5 May 2020

- **Climate change and energy**

Chestney N and Abnett K “Green hydrogen's time has come, say advocates eyeing post-Covi-19 world” [IOL](#) 9 May 2020

Ng K “Climate crisis: Sea level ‘on course to rise by one metre by 2100’ if global emissions targets are missed” [The Independent](#) 8 May 2020

Boyle L “Endangered pangolins for sale on Facebook amid potential link to coronavirus” [The Independent](#) 8 May 2020

Taylor M “World cannot return to 'business as usual' after Covid-19, say mayors” [The Guardian](#) 7 May 2020

Watts J “One billion people will live in insufferable heat within 50 years – study” [The Guardian](#) 5 May 2020

Morton A “Australian businesses call for climate crisis and virus economic recovery to be tackled together” [The Guardian](#) 5 May 2020

Harvey F “Greta Thunberg and children's group hit back at attempt to throw out climate case” [The Guardian](#) 5 May 2020

Hannam P “‘We stuffed up’: Coal miner admits to submitting wrong emissions data” [Sydney Morning Herald](#) 9 May 2020

Hannam P “Media data shows COVID-19 has stolen climate change's thunder” [Sydney Morning Herald](#) 8 May 2020

Abnett K “European lawmakers to consider tougher climate law: draft” [Reuters](#) 8 May 2020

Chestney N and Abnett K “Green hydrogen's time has come, say advocates eyeing post-pandemic world” [Reuters](#) 8 May 2020

“Trump administration agrees to help wind farms with subsidy tweak” [Reuters](#) 8 May 2020

“Oregon climate policy rulemakings to begin in earnest next year” [Carbon Pulse](#) 8 May 2020

“South Korea signals rapid green shift in draft energy plan” [Carbon Pulse](#) 8 May 2020

“Commission supports Member States in their transition to a climate-neutral economy” [European Commission](#) 7 May 2020

Campbell J “Kilroot to become gas-fired power station” [BBC](#) 6 May 2020

Pickstone S “France and the Netherlands call for more climate ambition in trade talks” [ENDS](#) 5 May 2020

- **Local government**

Osborne S “Coronavirus: Majority of Britons want green spaces prioritised after lockdown, poll suggests” [The Independent](#) 7 May 2020

Fuller G “Pollutionwatch: breathtaking views will vanish unless we build back better” [The Guardian](#) 7 May 2020

Hudston S “Country diary: the bumblebees' low drone has replaced the hum of traffic” [The Guardian](#) 8 May 2020

Walawalkar A “UK plans £250m boost for cycle lanes and fast-track e-scooter trials” [The Guardian](#) 8 May 2020

- **Mining**

Balaji M “Nevsun Resources Ltd. v. Araya Requires Rethinking Alternate Frameworks for Accountability of TNC’s” [The Jurist](#) 5 May 2020

Butler B “One in three shareholders vote for Rio Tinto to adopt binding emissions target” [The Guardian](#) 8 May 2020 – read also [Mining Weekly](#)

- **Water, waste, oceans and chemicals**

“Coronavirus: Fifty million plastic pieces sifted from beach in lockdown” [BBC](#) 10 May 2020

“Illicit Management of Sanitary and Medical Waste Amid the COVID-19 Pandemic” [Interpol](#) 5 May 2020

- **Miscellaneous**

Holden E “Gas stoves making indoor air up to five times dirtier than outdoor air, report finds” [The Guardian](#) 5 May 2020

VACANCIES, BURSARIES, FINANCING, OPPORTUNITIES, etc

International

African Independent Research (FLAIR) Fellowships

Applications are now being accepted for the African Independent Research (FLAIR) Fellowships offered by the African Academy of Sciences (AAS) and the Royal Society. The fellowships are offered to early career scientists from sub-Saharan Africa.

This fellowship provides two years of funding and support, after which fellowship holders may have the opportunity to apply for a renewal for an additional three years. The funding will cover salary and research and travel expenses and will allow holders to focus on developing their research with limited teaching responsibilities. In addition, FLAIR Research Fellows will receive a generous programme of support to develop them as independent research leaders including training, mentoring, opportunities to network both regionally and with the UK and to develop international collaborations.

Eligibility

Eligible candidates for this programme must:

- Be a national of a sub-Saharan African country;
- Hold a PhD by the time of application;
- Be an early career researcher with a minimum of two years of research experience since completing the PhD and no more than eight years of post-doctoral research experience;
- Wish to hold the fellowship in a research institution in an Official Development Assistance (ODA) eligible sub-Saharan African country;
- Have a clearly defined scientific research proposal focusing on one or more of the Global Challenge areas outlined in the scheme notes.

Apply: More information about this fellowship can be found [here](#)

Applications must be made through the Royal Society's grants [portal](#).

Questions about the fellowship may be [emailed](#).

Marie Skłodowska-Curie Individual Fellowships 2020 at Fondazione Eni Enrico Mattei

Internal deadline: May 24th, 2020

Following its long time tradition of successful international post-graduate and doctoral training, FEEM supports Marie Skłodowska-Curie Individual Fellowship applications.

For the current MSCA European Fellowships call, FEEM is interested in receiving proposals in the area of:

1. Macroeconomic and micro models for assessing the impact of water management investment under technological progress and climate change uncertainty in developing and African countries
2. Micro and/or macroeconomic models to assess the Water-Energy (and Food) nexus in an uncertain framework
3. Decarbonization, renewable resources: microeconomic models for evaluating investments in condition of uncertainty
4. Spatial econometric analysis of urban transformation, their socio-economic determinants and the consequences for the environment and the quality of life of urban citizens
5. Integrated energy and macroeconomic models for sustainable development of African countries
6. Measuring trade-offs and synergies between and among SDGs and targets of the Agenda 2030
7. Open/Big Data and Citizen Science methods for monitoring, understanding and modelling coupled human-water systems
8. Multi-disciplinary investigations on African floodplains (earth, environmental and hydrological sciences, etc.; social sciences and humanities etc) and their trans-sectorial value for addressing water and societal challenges
9. Financing the Global Energy Transition
10. Transport in sub-Saharan Africa: analysis and modelling of future pathways
11. Sustainable development strategies for contrasting emerging human infectious diseases
12. Water scarcity as a driver of food and energy insecurity in global change (climate; land use; demographic etc.) perspective
13. Decarbonisation scenario for the energy sector: how far we can push our ambitions to be coherent with current technological limitations? Deep insight from evidence based research and modelling

FEEM, as Italian host institution, provides support to individual experienced researchers who meet the requirements of the H2020 Programme. Research proposals entail a period of 12-24 months at FEEM, with reference to the [Call Marie Skłodowska-Curie Individual Fellowships \(IF\) - European Fellowships](#)

Eligibility criteria

1. Candidates must be in possession of a doctoral degree or have at least four years of full-time equivalent research experience at the deadline (09/09/2020) for the submission of proposals to the European Commission
2. Eligible researchers can be of any nationality and must not have resided or carried out their main activity (work, studies, etc.) in Italy for more than 12 months in the 3 years immediately before the call deadline (09/09/2020).

Application

If you meet the eligibility criteria and are interested in exploring the opportunities offered by the Marie Skłodowska-Curie Actions to work at FEEM, please submit your application on-line through the [FEEM web platform](#) any time before May 24th, 2020 (internal deadline), sending:

1. a detailed curriculum vitae, including the list of publications;
2. an abstract of the research proposal (max 1 page).

The selected candidates will be supported in the development of their project proposals that must be submitted to the European Commission by September 09th, 2020 - h. 17.00 CET.

More information on the Marie Skłodowska-Curie Individual Fellowships is available on the [EU-MSCA Web Site](#).

University of Eastern Finland has opened 13 postdoc positions in interdisciplinary water research

Deadline for applications 5 June 2020

More [information](#)

[PhD Student in Law](#)

University of Copenhagen Faculty of Law

[Research Associate in The Law in Digital Transformation](#)

University of Hamburg Faculty of Law

[Research Assistant in Law](#)

University of Hong Kong Department of Law

[Research Assistant in Law](#)

University of Hong Kong Department of Law

[Lecturer in International and European Law](#)

Utrecht University School of Law

[PhD Research Fellowship in Development and the Environment](#)

University of Oslo Centre for Development and the Environment

[PhD Fellowship in Human Rights](#)

University of Oslo The Norwegian Centre for Human Rights

[Clinical Teaching Fellow in Policy Advocacy](#)

University of California Berkeley 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 20

15 May 2020

Level 4 Lockdown

We wish you and your loved ones well and be safe. Keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club – first event in May!

DIRECTIVES

Disaster Management Act 57 of 2002 - Directions and Directives

- GN 537 in GG 43323 of 14 May 2020 - Directions Relating to the Biodiversity Sector
- GN 538 in GG 43324 of 14 May 2020 - Directions Relating to the Freshwater and Marine Fishing Sectors
- GN 539 in GG 43325 of 14 May 2020 - Directions Relating to the Recycling of Waste
- GN 542 in GG 43331 of 15 May 2020 - Mineral Resources and Energy Directions on Permitted Goods and Services
- GN R541 in GG 43330 of 15 May 2020 - Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended
- GN R522 in GG 43306 of 12 May 2020 - Directions for Micro and Small Businesses Trading in Permitted Services
- GN 534 in GG 43320 of 14 May 2020 - Directions on the once-off movement of persons and the transportation of goods for purposes of relocation published and GN 513 in GG 43293 of 7 May 2020 repealed
- GN R535 in GG 43321 of 14 May 2020 - Directions Regarding e-Commerce Sales during Alert Level 4 of the COVID-19 National State of Disaster published
- GN R523 in GG 43307 of 12 May 2020 - Directions Regarding the Sale of Clothing, Footwear and Bedding during Alert Level 4 of the COVID-19 National State of Disaster
- GN 536 in GG 43322 of 14 May 2020 - Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Directions, 2020 published in GN 494 in GG 43273 of 4 May 2020 amended
- GN R517 in GG 43300 of 9 May 2020 - Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended

NOTICES

Mine Health and Safety Act 29 of 1996 – Gen Notice 262 in GG 43304 of 11 May 2020 - Mine Health and Safety Inspectorate - Draft Guideline for the Compilation of a Mandatory Code of Practice for the Mitigation and Management of COVID-19 Outbreak - for comment

Housing Act 107 of 1997 - GN 526 in GG 43316 of 15 May 2020 - Priority Human Settlements and Housing Development Areas (PHSHDAs)

National Environmental Management Act 107 of 1998 – Gen Notice 277 in GG 43332 of 15 May 2020 - General Notice extending the date for the submission of written submissions, scientific information, socio-economic information or any other relevant information to the advisory committee (high-level panel) on matters related to the management and handling, breeding, hunting and trade of elephant, lion, leopard and rhinoceros

Public Audit Act 25 of 2004 - GN 540 in GG 43326 of 15 May 2020 - Directive published and Gen Notice 618 in GG 41321 of 15 December 2017 withdrawn

Standards Act 8 of 2008 – Gen Notice 273 in GG 43316 of 15 May 2020

- SANS 626-2 Ed 1 Solid mineral fuels - Vocabulary Part 2: Terms relating to sampling, testing and analysis. Defines terms commonly employed in the sampling, testing and analysis of solid mineral fuels – for comment
- SANS 10329 Ed 1.4 The design and construction of sectional steel tanks for storage of liquids at or above ground level Amended to update referenced standards and Note to purchase.

New standards:

- SATS 61724-2:2020 Ed 1 Photovoltaic system performance - Part 2: Capacity evaluation method. Defines a procedure for measuring and analyzing the power production of a specific photovoltaic system with the goal of evaluating the quality of the PV system performance.
- SANS 17088:2020 Ed 1 Specifications for compostable plastics. Specifies procedures and requirements for the identification and labelling of plastics, and products made from plastics, that are suitable for recovery through aerobic composting

Standards Act 8 of 2008 – GN 270 in GG 43316 of 15 May 2020

- SANS 9096:2020 Ed 1 Stationary source emissions- Manual determination of mass concentration of particulate matter. Describes a reference method for the measurement of particulate matter (dust) concentration in waste gases of concentrations from 20 mg/m³ to 1 000 mg/m³ under standard conditions.
- SANS 54792:2020 Ed 1 Stationary source emissions - Determination of mass concentration of nitrogen oxides - Standard reference method: Chemiluminescence. Specifies the standard reference method (SRM) based on the chemiluminescence principle for the determination of the nitrogen oxides (NO_x) in flue gases emitted to the atmosphere from ducts and stacks.
- SANS 60076-22-1:2020 Ed 1 Power transformers -Part 22-1: Power transformer and reactor fittings - Protective devices. Applies to protective devices mounted on liquid-immersed power transformers in accordance with IEC 60076-1 (published in South Africa as an identical adoption under the

designation SANS 60076-1) and reactors in accordance with IEC 60076-6 (published in South Africa as an identical adoption under the designation SANS 60076-6) with or without conservator for indoor or outdoor installation.

- SANS 80079-38 Ed 1 Explosive atmospheres - Part 38: Equipment and components in explosive atmospheres in underground mines. Specifies the explosion protection requirements for the design, construction, assessment and information for use (maintenance, repair, marking) of equipment that may be an individual item or form an assembly.
- SANS 10146-1:2020 Ed 1 Laundry - Part 1 - Process Management. Specifies the requirements for the safe, effective and efficient management of all laundry processes.
- SANS 969-1:2020 Ed.1 Clean-up of dangerous and non-dangerous goods incidents Part 1: Road occurrences. Specifies the requirements for the effective and efficient clean-up of spills involving road vehicles transporting dangerous goods and other goods presenting hazards detrimental to and which are concerned with the safety of people, property and the environment, prompt actions of such incidents ensuring the controlling of pollution and contamination of the environment, and the minimisation of the direct and consequential effects of the incident that could cause disruption to road traffic and that normalisation be restored as soon as possible.
- SANS 13909-7:2020 Ed Hard coal and coke - Mechanical sampling Part 7: Methods for determining the precision of sampling, sample preparation and testing. Develops equations that link the variables which contribute to overall sampling precision.
- SANS 13909-8:2020 Ed Hard coal and coke - Mechanical sampling Part 8: Methods of testing for bias. Sets out principles and procedures for testing the bias of test samples of hard coals or cokes.
- SANS 60076-22-2:2020 Ed 1 Power transformers -Part 22-2: Power transformer and reactor fittings - Removable radiators. Applies to radiators mounted on liquid immersed power transformers according to IEC 60076-1 (published in South Africa as an identical adoption under the designation
- SANS 60076-1) and reactors according to IEC 60076-6 (published in South Africa as an identical adoption under the designation SANS 60076-6) with and without conservator for indoor or outdoor installation.
- SANS 10320:2020 Ed 2 The South African guide to the systematic evaluation of coal exploration results, coal resources and coal reserves. Provides the standards, definitions and common terminology and methodology for the evaluation, estimation and reporting of all coal exploration results, inventory coal, coal resources and coal reserves.
- SANS 14180:2020 Ed 2 Solid mineral fuels - Guidance on the sampling of coal seams. Provides guidance on methods for taking samples from coal seams in the ground, whether from exploration areas or tenements, or from operating underground or open-cut mines.
- SANS 1518:2020 Ed 4.2 Transport of dangerous goods - Design, construction, testing, approval and maintenance of road vehicles and portable tanks. Consolidated edition incorporating amendment No.2. Amended to update referenced standards, and the annex on additional requirements for local use.

The International Trade Administration Commission of South Africa – Gen Notice 272 in GG 43316 of 15 May 2020 - Notice of initiation of Investigation for

Remedial Action in form of safeguard measure against increased imports of Bolts with Hexagon Heads of Iron or Steel: Comments invited

Competition Act 89 of 1998 – Gen Notice 268 in GG 43316 of 15 May 2020 - Competition Tribunal Harmony Gold Mining Company Ltd, Harmony Moab Khotsong Operations (Pty) Ltd and Golden Core Trade and Invest (Pty) Ltd with the Remaining Gold Mining South African Operations of AngloGold Ashanti Ltd 29/04/2020 – Approved

PROVINCES

Western Cape

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 - LAN 20167 in PG 8237 of 13 May 2020 - Cederberg Local Municipality - Air Quality Bylaw, 2020

PUBLICATIONS

National

Lupin Townsend D “COVID 19 and the Human Right to Water and Sanitation” 2020 [Opinio Juris](#)

Friedman D "Climate change: challenging the expert and dispute resolver" 2020 20 [Without Prejudice](#) 27

International

Boie I *et al* “Policies for CSP deployment by renewable energy cooperation in the EU Authors” (MUSTEC Policy [Brief](#) Series no 3 February 2020)

Villa C *et al* *Environmental Justice Law, Policy and Regulations* 3rd ed (Carolina Academic [Press](#) 2020)

New York City Environmental Justice Alliance and New York Lawyers for the Public Interest “Dirty Energy, Big Money” ([Report](#) May 2020)

2020 May [Energy Review](#) now available

Collins LM and Stewart BD “Engendering Hope in Environmental Law Students” [SSRN](#) 10 April 2020 <http://dx.doi.org/10.2139/ssrn.3572751>

Roper V, Dunn R & Rasiah S “Revisiting “Pressing problems in the law: what is the law school for? 20 years on” 2020 [The Law Teacher](#) DOI: 10.1080/03069400.2020.1745004

McLaren D & Markusson N “The co-evolution of technological promises, modelling, policies and climate change targets” 2020 *Nature Climate Change* [doi:10.1038/s41558-020-0740-1](https://doi.org/10.1038/s41558-020-0740-1)

WOTR Centre for Resilience Studies “Scaling Ecosystem-based Adaptation to Climate Change in Maharashtra, India” See the publication [here](#)

Howard EM *et al* "Climate-driven aerobic habitat loss in the California Current System" 2020 6(20) [Science Advances](#) DOI: 10.1126/sciadv.aay3188

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Mail&Guardian](#): Ehlers-Smith Y "How protecting nature can protect us" 11 May 2020

- **Climate change and energy**

[Mail&Guardian](#): Bocca R and Singh HV "Covid-19, the black swan event that disrupted the green energy transition" 13 May 2020

[Mail&Guardian](#): Kings S "Covid upends logic of return on investment, whatever the cost" 14 May 2020

[Daily Maverick](#): Hall J "The climate crisis and environmental justice must take centre stage in the coming New World" 14 May 2020

Konrad Adenauer Stiftung's Multinational Development Policy Dialogue – "PodKAS: Bridging Voices": Carbon Pricing in the Global South (Refining the EU's climate-development nexus) [provided by Andrew Gilder]

- Listen to "[PodKAS](#): Bridging Voices"
- [LinkedIn](#)
- [Facebook](#)
- [SoundCloud](#)

[Lexology](#): Fasken "The draft amendments to the Electricity Regulations on New Generation Capacity shine more light on municipal power generation" 8 May 2020

[GroundUp](#): "Watch | Zimbabwe water shortages add to multiple crises amid coronavirus pandemic" 15 May 2020

- **Mining**

[Lexology](#): Falcon and Hume "Spotlight: the legal framework and licensing regime for mining in South Africa" 9 October 2019

[Mining Weekly](#): Liedtke S "More, faster data can make for safer tailings dams" 14 May 2020

[Mining Weekly](#): "Hydrogen, climate change, exploration make headlines" 14 May 2020

- **Miscellaneous**

KAS-KAYA FM Podcasts-Beyond Corona-South Africa and the World after the Pandemic-John Perlman Show

"Worldwide, the COVID-19 pandemic has brought societies and their economies to a standstill. As a major disruptor COVID-19 changes the trajectory of political and socio-economic developments. The pandemic has revealed the weaknesses and

strengths of current governance and economic systems and provides us with a unique opportunity to correct our current development path.

In this podcast series, brought to you by Kaya FM in partnership with the Konrad Adenauer Foundation, we ask experts, futurists and independent thinkers about the potential impact the pandemic has on our future and what lessons we can learn. Upcoming podcasts focus on "Economic Justice", "International Politics", "Democracy & Governance", "Political Parties and Elections", "The Future of Work", "Digitalisation", "The Health System" and "The Future of Performing Arts". Please find the [link](#) to listen to the first podcast

[Lexology](#): Clyde & Co LLP "COVID-19 South Africa: Class action developments in other jurisdictions and predictions in SA" 7 May 2020

[Daily Maverick](#): Hoffman P "An International Anti-Corruption Court could help recover funds for the fight against Covid-19" 12 May 2020

Africa

- **Biodiversity, protected areas and culture**

[The Namibian](#): "Lawyer De Klerk in N\$20 billion Fishrot deal" 9 May 2020 [IBA Legalbrief 11 May 2020]

[allAfrica](#): Mbashiru K "Africa: Bill to Protect African Heritage Sites in Sight" 16 May 2020

[The Conversation](#): Chirikure S "Archaeology shows how ancient African societies managed pandemics" 14 May 2020

- **Climate change and energy**

[Carbon Pulse](#): "Next year's UN climate talks should take place in Africa as planned, say continent's negotiators" 13 May 2020

[IISD](#) SDG Knowledge Hub: Gordon-Harper G "African Group Responds to Postponement of COP 26" 12 May 2020

[Mail & Guardian](#): Macharis O and Farajalla N "Covid-19 clarifies climate crisis" 14 May 2020

- **Environmental enforcement**

[Natural Justice](#): Okoth E and Martens C "What the Covid-19 Lockdowns mean for Environmental Defenders" 13 May 2020

- **Local government**

[Science](#): Pennisi E "Mosquitoes' taste for human blood may grow as African cities expand" 12 May 2020

- **Mining**

[Lexology](#): "Spotlight: the legal framework and licensing regime for mining in Tanzania" 9 October 2019

[Lexology](#): Hogan Lovells "COVID-19 SA - AMCU Judgment and the effect on all mines" 7 May 2020

[Lexology](#): “Q&A: Oil Regulation in Mozambique” 11 June 2019

[allAfrica](#): Nogrady B “Africa: Cobalt Is Critical to the Renewable Energy Transition. How Can We Minimize Its Social and Environmental Cost?” 14 May 2020

[Linkdln](#): Orenstein M “Lessons for extractive industry from the Ebola outbreak” 19 March 2020 – find the full report [here](#)

- **Water, food, waste, oceans and chemicals**

Thomas Reuters [Foundation](#): Harrisberg K and Ndlovu L “In parched southern Africa, coronavirus spurs action on water supply” 6 May 2020

- **Miscellaneous**

IISD SDG Knowledge Hub: Leone F “Fair Trade Standards Organization Joins Gender-Responsive Standards [Declaration](#)” 14 May 2020

International

- **Biodiversity, national parks and culture**

[Lexology](#): “Feds Appeal NWP 12 Ruling” [USA] 13 May 2020

[Science](#): Cornwall W “Lab-evolved algae could protect coral reefs” 13 May 2020

[Science](#): Popkin G “Deadly imports: In one U.S. forest, 25% of tree loss caused by foreign pests and disease” 12 May 2020

[Science](#): Stokstad E “White House effort to boost marine aquaculture raises environmental concerns” 11 May 2020

[WOTR](#): Srinidhi A “Adapting to climate variability in India – international partnership explores an ecosystem-based approach in Maharashtra” 14 May 2020

[The Independent](#): Dalton J “World wildlife trade: Mad, sad and extremely dangerous” 13 May 2020

- **Climate change and energy**

[Lexology](#): “Advocate General Kokatt- Case C-254/19 issues her Opinion in Friends of the Irish Environment -v- An Bord Pleanala (Shannon LNG)” 7 May 2020

[Lexology](#): “Climate Law - Revision of the Water Protection Ordinance” [Switzerland] 7 May 2020

[Lexology](#): “First-step analysis: gas regulation in India” 10 March 2020

Vermont Law School’s podcast: Hothouse Earth. [Listen or download](#)

[Lexology](#): “Coal Plant Demolition Triggers Illinois Air Quality Lawsuit” 8 May 2020

[Lexology](#): “New Guidance Documents on Green Loans and Sustainability Linked Loans” 8 May 2020

[Lexology](#): “Eighth Circuit Affirms Discharge in Bankruptcy of Common Law Climate Change Claims” 12 May 2020

[Lexology](#): “Facilitating Energy Sustainability: Procurement of Renewable or Certified Sustainable Natural Gas” 11 May 2020

[Lexology](#): “First-step analysis: gas regulation in Mexico” 10 March 2020

[Lexology](#): “DOE Proposes to Stop Evaluating Environmental Impacts of LNG Exports” [USA] 13 May 2020

[Lexology](#): “NSW EPA subject to legal action due to climate change inaction” [Australia] 13 May 2020

[Equitable Climate Action](#): “A Vision for Equitable Climate Action” May 2020

[CarbonBrief](#): McLaren D “Guest post: A brief history of climate targets and technological promises” 13 May 2020

[Science](#): Service RF “New solar panels suck water from air to cool themselves down” 11 May 2020

[The Jurist](#): Agarwal S and Sachan A “The Link Between Climate Change and Human Health” 14 May 2020

[IISD](#) SDG Knowledge Hub: Allan A “Announcements are not enough: Concrete Steps for Post-Pandemic Green Future” 12 May 2020

[CarbonBrief](#): “Analysis: India’s CO2 emissions fall for first time in four decades amid coronavirus” 12 May 2020

- **Environmental enforcement**

[New York Times](#): Popovich N, Albeck-Ripka L and Pierre-Louis K “The Trump Administration is reversing Nearly 100 Environmental Rules. Here’s the Full List” 6 May 2020

[Lexology](#): “Multi-discipline M&A: What about employment, tax, IP and environmental issues” [Canada] 7 May 2020

[Lexology](#): “Making Sense of Environmental Agency Enforcement Policies in the Wake of a Pandemic” [USA] 6 May 2020

[Lexology](#): “Companies Beware: Will EPA ramp up mandated ‘clean up’ as part of perceived economic ‘stimulus’ package?” [USA] 4 May 2020

[Lexology](#): “National Perspective - Response of Environmental Protection Authorities to COVID-19” [Australia] 4 May 2-2-

[Lexology](#): “Fresh Air and Fresh Start: Are Environmental Liabilities Dischargeable?” [USA] 11 May 2020

[Lexology](#): “The insurance response to environmental enforcement undertakings” [UK] 13 May 2020

- **Local government**

Thomas Reuters [Foundation](#): Chandran R “‘No man's land': Delhi's urban villages face uncertain future” 11 May 2020

[IISD](#) SDG Knowledge Hub: Koike H et al “How Can Voluntary Local Reviews Contribute to the SDG Decade of Action? An Assessment of VLRs to Date” 8 May 2020

[IISD](#) SDG Knowledge Hub: Leone F “Four Asian Cities Adopt Circular Approach to Close Plastic Loop” 12 May 2020

- **Mining**

[World Bank Blogs](#): Hallegatte S and Hammer S “Thinking ahead: For a sustainable recovery from COVID-19 (Coronavirus)” 30 March 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “China Promulgates Amendment to Its Solid Waste Law” 7 May 2020

[Lexology](#): “Alert - Proposed Amendments to Flood Prone Land Use Regulations and Controls” [Australia] 13 May 2020

[Lexology](#): “What’s New - China Revises its New Chemical Substance Management Rules” 11 May 2020

[The Jurist](#): Malpani O “The Double-Edged Sword of Coronavirus: Lost Livelihood and Other Risks to Sanitation Workers” 13 May 2020

[The Guardian](#): Ambrose J “The end of plastic? New plant-based bottles will degrade in a year” 16 May 2020

- **Miscellaneous**

Nature on [Youtube](#): “Infodemic: Coronavirus and the fake news pandemic” 9 May 2020

[The Guardian](#): Bowcott O “Chagos islanders' exile is ongoing breach of human rights, court told” 12 May 2020

[IISD](#) SDG Knowledge Hub: Leone F “Countries Preparing for UNEA-5, Stockholm+50” 14 May 2020

[IISD](#) SDG Knowledge Hub: Wagner L “Guide Aims to Increase Accountability Amid Pandemic Response” 14 May 2020

[IISD](#) SDG Knowledge Hub: Leone F “Gridded Data Can Improve SDG Indicator Availability, Help Leave No One Behind” 14 May 2020

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Urges Greening Trade and Building Resilience in Post-COVID Recovery” 12 May 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club First event: The ELA is inviting you to a scheduled Zoom meeting: Discussion of “Netflix “Plastic Ocean”

Time: 26 May 2020

Time: 09:00 PM Johannesburg

Join Zoom Meeting [here](#)

Meeting ID: 756 2762 2168

Password: 7h2vgq

Stream the documentary film ‘Plastic Ocean’ (available on Netflix) with fellow ELA members on 26 May at 7pm and join us for a Zoom discussion on the impacts and regulation of plastic immediately after the film. Look [here](#) for more information.

ELA Annual Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: 4-5 September 2020

Place: Gauteng / Virtual

Deadline for abstracts: 31 July 2020

More information will follow

Applying the precautionary principle, the conference will proceed virtually if Covid-19 measures are still in place

The call for papers will be circulated separately.

ELA Annual Student Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: 3 September 2020

Closing date: 31 July 2020

Place: Gauteng / Virtual

The call for papers will be circulated separately.

ELA Streaming Club during lockdown and possibly even beyond

Date and time, Last Tuesday of the month, 20h00 (CAT)

During lockdown ELA members and friends are invited to engage in discussion and thought on pressing environmental issues through the joy of film and documentaries.

How it works:

Each month, a film or documentary will be selected by the ELA for streaming on the last Tuesday of the month at 8pm.

During the streaming, members and friends of the ELA are invited to comment on our Facebook event for live discussion about the film.

After the streaming, members and friends of the ELA are invited to participate in a Zoom discussion about the film, chaired by an ELA executive member, which will include guests with specialised knowledge related to the film or documentary.

IAIAsa Gauteng Branch Webinar: Best Practice Guidelines for the Implementation of Species Protocols for EIA

Date: Thursday 21 May 2020

Time: 14h00-15h30

The invitation is available [here](#)

[Register here](#)

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

International

UNESCO World Conference on Education for Sustainable Development

New dates: 17 to 19 May 2021

Place: Berlin, Germany

More [information](#)

IAIA21 Smartening Impact Assessment in Challenging Times

Date: 18-21 May 2021

Place: Seville, Spain.

Session proposals from IAIA20 will be carried over, but we will also be accepting new proposals to replace those sessions that have had to withdraw. Watch your enews and the [IAIA21](#) website for updates!

IAIA21 Online Symposium: Our Interconnected World: Impact Assessment, Health, and the Environment

Date: 5-8 October 2020

Join us in both live and pre-recorded sessions as we discuss the topic of health as well as climate change, resilience, and key issues from IAIA20 submissions through the interconnected lens of health. A 3-week Q&A timeframe will allow for online discussions and interaction across time zones. Symposium information will be posted [online](#) at the end of May.

Global Green New Deal: “Into the Portal, Leave No One Behind”

Date: Tuesday, May 19, 2020

Time: 4:00 PM - 5:30 PM West Central Africa (GMT+01:00)

Host Contact [Info](#)

More [information](#) and registration

Webinar: Cutting Emissions for a Post-Pandemic World: Fossil Fuel Subsidy Reform and Carbon Pricing

Wednesday, 20 May 2020

Time: 8AM GMT

More information and [registration](#)

Two Webinars to Launch LEAP 2020: A Major New Version of SEI’s Platform for Low Emission Development Planning

The webinars are open to all, but registration is required via Eventbrite:

First Webinar: 19 May 2020

Time: 06:00 EST/12:00 CEST

<https://bit.ly/2yu8T0d>

Second Webinar: 20 May 2020

Time: 11:00 EST/17:00 CEST

<https://bit.ly/35GqwGf>

For further details and registration please [visit our website](#). You might also be interested in the recordings of the past webinars which can all be found [here](#).

NEWS

National

- **Biodiversity, protected areas and culture**

Ashby N “Alarm over proposed changes to Meat Safety Act” [GroundUp](#) 15 May 2020

“Wild lockdown: Caracal spotted on Cape streets” [Business Insider](#) 14 May 2020

- **Climate change and energy**

Khumalo S “Sasol opens bids for clean energy producers to supply its plants” [fin24](#) 14 May 2020 [Legalbrief 15 May 2020]

“Floating wind farms explored for South Africa seas - where wind speeds are faster” [Business Insider](#) 15 May 2020

Yeld J “Giant turbine farm set to harvest West Coast wind” [GroundUp](#) 11 May 2020

Ramalepe P “Cape Town and Ekurhuleni are ready to generate their own power – but Tshwane can’t afford to” [Business Insider](#) 15 May 2020

Burkhardt P and Vecchiatto P “South Africa targets more nuclear power within 5 years” [IOL](#) 11 May 2020

Energy: Judgment reserved in landmark city versus state clash

“As the City of Cape Town pursues a court order to help it realise a long-held ambition to procure its own renewable energy, the Minister of Mineral Resources & Energy Gwede Mantashe says he’s already opening the way for municipalities to buy power from independent power producers (IPPs). This was heard by the Gauteng High Court (Pretoria) where arguments in the landmark case brought by the city were brought to a close and judgment was reserved, notes Business Day. If the DA-led metro is successful, the case will open the way for other municipalities to bypass the Minister to procure cleaner, cheaper power, quickly. Municipalities derive a substantial portion of their revenue from electricity sales but are themselves in crisis as consumers continue to defect from Eskom’s service as electricity tariffs rise and load-shedding persists. The city launched the case against the National Energy Regulator (Nersa) and the Minister in 2017 after it failed to obtain a ministerial determination in terms of section 34 of the Electricity Regulation Act as to whether it could procure solar and wind power from IPPs. In its founding affidavit, the city argued it has a constitutional and statutory duty to supply basic services, including electricity, to inhabitants. The city said Nersa can license projects without a section 34 determination, as such a determination is intended to give the Minister power to ensure sufficient capacity to cater for SA’s needs and a ‘far cry’ from saying it allows the Minister to control all new generation capacity and prevent others from establishing new generation capacity.” Legalbrief 13 May 2020

- **Local government**

Gontsana M-A “Philippi residents cry foul over stagnant water” [GroundUp](#) 15 May 2020

Washinyira T “Heritage Western Cape approves Parow Station Precinct exemption proposal” [GroundUp](#) 15 May 2020

“Cape Town civic associations oppose by-law amendments” [Daily Maverick](#) 15 May 2020

- **Mining**

Stoddard E “Implats’ Marula mine to close after 13 miners test positive for Covid-19” [Daily Maverick](#) 16 May 2020

Seccombe A “AngloGold digs out higher-grade ore as SA mine works at half strength” [BusinessLive](#) 11 May 2020

- **Water, oceans, waste and chemicals**

Mvumvu Z “Great Bank Heist advocate will investigate corruption in water & sanitation department” [TimesLive](#) 12 May 2020

Manyane M “Forensic reports into alleged abuse of R230m drought funds damn Amatola Water CEO” [IOL](#) 10 May 2020

[Science](#): Hand E “Aircraft spies gravity waves being sucked into Antarctica’s polar vortex” 12 May 2020

Sole S “Lindiwe Sisulu appoints ‘conflicted’ firm to run investigation” [amaBhungane](#) 15 May 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“Rare one-horned rhino killed as poaching attempts increase amid India coronavirus lockdown” [Business Insider](#) 11 May 2020

“Wild white storks hatch in UK for first time in hundreds of years” [The Guardian](#) 16 May 2020

Barkham P “RSPB flooded with reports of birds of prey being killed” [The Guardian](#) 15 May 2020

“NSW south coast residents battling to save unburnt bushland ask Sussan Ley to intervene” [The Guardian](#) 14 May 2020

Boyle L “Wet markets are not the problem – focus on the billion-dollar international trade in wild animals, experts say” [The Independent](#) 14 May 2020

Boyle L “Woman jailed for illegal trade in wildlife has sentence doubled” [The Independent](#) 15 May 2020

Ng K “Frog populations ‘suffering alarming decline’ due to over-consumption by people” [The Independent](#) 13 May 2020

Gregory A “What is giant hogweed, the UK’s ‘most dangerous’ plant?” [The Independent](#) 12 May 2020

Gregory A “Giant hogweed: UK risks losing fight against toxic plant, experts warn” [The Independent](#) 12 May 2020

Abnett K and Strauss M “EU to halve pesticides by 2030 to protect bees, biodiversity: draft” [Reuters](#) 14 May 2020

Gorman S “U.S. denies full protection for Pacific fisher, relative of the weasel” [Reuters](#) 15 May 2020

- **Climate change and energy**

“Trudeau says wealth fund blacklisting of Alberta companies a wake-up call on climate change action” [CBC](#) 12 May 2020

Balaraman K “Renewables poised to outstrip coal generation in 2020 as COVID-19 accelerates transition: EIA” [UtilityDive](#) 13 May 2020

“EU eyes emissions cuts from tyre labelling scheme” [Argus](#) 13 May 2020

“Surprise EU data release lifts lid on 12 years of ETS emissions transactions” [Carbon Pulse](#) 15 May 2020

Holder M “Report: Fair CO₂ pricing could boost economy and tackle deficit after Covid-19 crash” [BusinessGreen](#) 15 May 2020

Murphy K “Labor calls for end to 'decade-long barney' on climate wars in post-pandemic recovery” [The Guardian](#) 15 May 2020

Embury-Dennis T “Oil lobbyists representing UK firms push Norway to avoid strict curbs on Arctic drilling” [The Independent](#) 15 May 2020

Boyle L “Climate change may kickstart dormant El Niño weather system in Indian Ocean” [The Independent](#) 12 May 2020

Campbell R “Niasa highlights funding options for new nuclear power” [Engineering News](#) 15 May 2020

Creamer T “Irena forecasts rise in ocean energy installations to 10 GW by 2030” [Engineering News](#) 15 May 2020

“Equinor's shareholders reject climate proposals from activists” [Reuters](#) 14 May 2020

Wettengel J “Unravelling the climate footprint of U.S. liquefied natural gas” [CleanEnergyWire](#) 15 May 2020

Meza E “German economy at risk from climate change impacts abroad – study” [CleanEnergyWire](#) 15 May 2020

“EU Market: EUAs drop to five-week low on French nuke outage delays, breached technical support” [Carbon Pulse](#) 12 May 2020

Eriksen F “Share of coal in German public power supply own to 16 percent in April” [CleanEnergyWire](#) 12 May 2020

“L'Oreal pledges 150 million euros to fight climate change, support women” [Reuters](#) 12 May 2020

- **Local government**

“Large areas of London to be made car-free as lockdown eased” [The Guardian](#) 15 May 2020

- **Mining**

Nigeria: Suspected illegal miners arrested

“The authorities in Nigeria’s Osun State have arrested 27 illegal miners, including 17 Chinese nationals and a local traditional ruler. BBC News reports that a government official said they would all be prosecuted and made to pay for environmental damage they had caused. Thousands of people work in informal mines across Nigeria which has significant mineral deposits, including gold. The authorities last year banned gold mining activity in Zamfara State over concerns that it was linked to an escalation of violence and kidnapping.”

Full BBC News report [IBA Legalbrief 11 May 2020]

“Canadian gold miner inks forestry offset deal with developer and First Nation community” [Carbon Pulse](#) 13 May 2020

Boyle L “Trump administration to hold 'virtual meetings' on oil drilling - but tribes affected have limited internet” [The Independent](#) 14 May 2020

- **Water, waste, oceans and chemicals**

Boyle L “Thousands of tonnes of ocean microplastics could be blowing ashore every year with sea breeze, study finds” [The Independent](#) 14 May 2020

Slater D “Covid-19 catalysing cooperation in water sector” [Engineering News](#) 15 May 2020

“Portugal suspends foreign trash imports to cope with own increased waste” [Reuters](#) 16 May 2020

“Zimbabwe's drought-hit Bulawayo limits tap water to just a day a week” [Reuters](#) 15 May 2020

- **Miscellaneous**

“EFCC Arrests Two Chinese for Offering N100m Bribe to Zonal Head” [Nigeria] [This Day](#) 14 May 2020 [Legalbrief Forensic 14 May 2020]

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

**University of Pretoria: Faculty of Law – Professor/Associate Professor
Department of Mercantile law**

Closing date: 5 June 2020

More [information](#)

**University of Pretoria: Department of Mercantile Law - Professor/Associate
Professor and Head of Department (One Post)**

Closing date: 5 June 2020

More [information](#)

Barnard Attorneys Pretoria: Candidate Attorney

More [information](#)

Lecturer in the Faculty of Law Rhodes University: Introduction to law and/or Property Law (Equity candidates)

Closing date: 25 May 2020 12:00

Requirements:

Lecturer Level: At least an LLM degree, normally preceded by a LLB degree from a South African university. Tutoring or facilitation experience and commitment to a career in academia is required. Interest and/or expertise in Introductory Studies of Law or Law of Property. Experience as a legal practitioner will be a distinct advantage.

If you have any questions or experience challenges with the system, please contact Ms Lesleigh Titus on 046 603 8971

For the full advert and requirements please access [here](#) or visit Rhodes University [website](#)

International

REN21: Communication Manager

We want a creative person with keen public relations intuition, sound judgment, and excellent written and oral communication skills. Someone who responds positively to change and is not afraid to introduce new ideas.

If you are a self-starter, with a proven interest in international energy narratives and an eye for using strategic communications interventions to drive the change to renewables, then we want you!

Full job description available [here](#)

Application deadline 31 May, midnight CEST

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

22 May 2020

Level 4 Lockdown

We wish you and your loved ones well and be safe. Keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club – first event in May!

[World Bee Day](#)

20 May 2020

[International Day on Biological Diversity: Our Solutions are in Nature](#)

22 May 2020

[Africa Day](#)

25 May 2020

DIRECTIVES

Disaster Management Act 57 of 2002 - Directions

- GN 544 in GG 43339 of 20 May 2020 - Directions on the determination of the commencement of services and extension for the validity period of learner's licences, driving licence cards, licence discs, professional driving permits and the registration of motor vehicles published and GN 491 in GG 43270 of 4 May 2020 repealed
- GN R587 in GG 43348 of 22 May 2020 - Public Transport Services Directions, 2020 published in GN 493 in GG 43272 of 4 May 2020 amended

NOTICES

Mine Health and Safety Act 29 of 1996 – Gen Notice 280 in GG 43335 of 18 May 2020 - Guideline for the Compilation of a Mandatory Code of Practice for the Mitigation and Management of COVID-19 Outbreak published with effect from 25 May 2020

Accounting Standards Board – BN 61 in GG 43341 of 22 May 2020 - Exposure Drafts of *Revenue with Performance Obligations* (ED 181), *Revenue without Performance Obligations* (ED 182) and *Transfer Expenses* (ED 183) – for comment

Competition Act 89 of 1998 - GN 545 in GG 43341 of 22 May 2020 - Competition Commission - Buyer Power Guidelines

Competition Tribunal – Gen Notice 267 in GG 43316 of 15 May 2020 - Notification of complaint referrals

Competition Tribunal – Gen Notice 268 in GG 43316 of 15 May 2020 - Notification of decisions to approve mergers

National Nuclear Regulator Act 47 of 1999 – Gen Notice 287 in GG 43341 of 22 May 2020 - Application for nuclear vessel licence - for comment

OTHER

Department of Environmental Affairs, Forestry and Fisheries “2019 State of the Environment [Report](#)” (May 2020)

PROVINCES

Western Cape

Western Cape Land Use Planning Act 3 of 2014 - PN 38 in PG 8239 of 22 May 2020 - Department of Environmental Affairs and Development Planning - Authorisation to deviate from the provisions of s. 44(2)(b) of the Act

CASES

National

Umgeni Water v Sembcorp Siza Water (Pty) Ltd and Others and Another Appeal 2020 (2) SA 450 (SCA)

“Water—Supply—Tariff—Bulk supplier—Imposing substantially greater tariff increase on private purchaser than on municipal purchasers providing same service—Private purchaser unfairly targeted—Decision to differentiate tariffs unreasonable and unsustainable—Water Services Act 108 of 1997, s 19(1)(b)(i) and s 19(2).”

PUBLICATIONS

International

Müller F *et al* “Is green a Pan-African colour? Mapping African renewable energy policies and transitions in 34 countries” 2020 68 [Energy Research & Social Science](#) <https://doi.org/10.1016/j.erss.2020.101551>

Riaño Maria Alejandra and Barchiche Damien “Financing the 2030 Agenda for Sustainable Development: prerequisites, and opportunities for the post-Covid-19 crisis” (IDDRI Issue [Brief](#) May 2020)

Bierman F “Protecting biodiversity in areas beyond national jurisdiction: An earth system governance perspective-NC-ND license <http://creativecommons.org/licenses/by-nc-nd/4.0/>” ([Report](#) 2019)

Törnqvist TE *et al* “Tipping points of Mississippi Delta marshes due to accelerated sea-level rise” 2020 6(21) [Science Advances](#) DOI: 10.1126/sciadv.aaz5512

Zhen Liu *et al* “Lead-free (Ag,K)NbO₃ materials for high-performance explosive energy conversion” 2020 6(21) [Science Advances](#) DOI: 10.1126/sciadv.aba0367

Dongliang Chao “Roadmap for advanced aqueous batteries: From design of materials to applications” 2020 6(21) [Science Advances](#) DOI: 10.1126/sciadv.aba4098

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[EMS Foundation](#): “The Breaking Point – Uncovering South Africa’s Shameful Live Wildlife Trade With China” 17 May 2020 [Legalbrief Environmental 19 May 2020]

[Mail&Guardian](#): Samways MJ “Threads of life: We have an opportunity to restore vital ecosystems” 21 May 2020

[Mail&Guardian](#): Willemse N “E-tracking marine predators to protect Southern Ocean’s rich feeding grounds” 19 May 2020

[Business Insider](#): “Watch | Hyena steals impala from massive python” 19 May 2020

- **Climate change and energy**

[Mail&Guardian](#): Kings S “Covid-19 brings South Africa’s daily carbon emissions down by 20%” 20 May 2020

[Daily Maverick](#): Muzondo C and Bridle R “Eskom must adapt its reform agenda to a post-pandemic economy” 22 May 2020

- **Local government**

[Daily Maverick](#): Myburgh P-L “Public Protector confirms more than R200m squandered in Free State asbestos audit” 16 May 2020

- **Mining**

[The Conversation](#): Ndlovu N “The continued threat of coal mining at the Mapungubwe world heritage site” 17 May 2020

Africa

- **Biodiversity, protected areas and culture**

[allAfrica](#): “Nigeria: NOSDRA Traces Cause of Dead Fishes on Atlantic Coastline to Toxic Wastes” 15 May 2020 [Legalbrief Environmental 23 May 2020]

[Daily Maverick](#): Thomson GC “Pete Morkel, wildlife veterinarian par excellence, conservation legend and beloved mentor” 22 May 2020

[Daily Maverick](#): “In pictures – When volcanoes erupt” 22 May 2020

[The Conversation](#): Cuozzo F and Sauter M “We wanted to know where Madagascar’s mysterious ‘forest’ cats came from. What we found” 17 May 2020

- **Climate change and energy**

[The Guardian](#): Watts J “Climate change is turning parts of Antarctica green, say scientists” 19 May 2020

[UNFCCC](#): Republic of Rwanda “Update of Rwanda’s Nationally Determined Contribution” 5 May 2020

- **Mining**

[Natural Justice](#): Tsofa J “Lockdown in Kilifi County, Kenya: What lies on the other side?” 18 May 2020

- **Miscellaneous**

[Youtube](#): Michael Moore Presents: Planet of the Humans | Full Documentary 21 April 2020

“Michael Moore presents Planet of the Humans, a documentary that dares to say what no one else will this Earth Day — that we are losing the battle to stop climate change on planet earth because we are following leaders who have taken us down the wrong road — selling out the green movement to wealthy interests and corporate America. This film is the wake-up call to the reality we are afraid to face: that in the midst of a human-caused extinction event, the environmental movement’s answer is to push for techno-fixes and band-aids. It’s too little, too late.”

International

- **Biodiversity, national parks and culture**

[Thomas Reuters](#): Taylor M “ailing of farmer who cut 20 trees spotlights Indonesia land conflicts” 19 May 2020

[Nature](#): Jones N “Carbon dating, the archaeological workhorse, is getting a major reboot” 19 May 2020

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[IISD](#) SDG Knowledge Hub: Wagner L “International Day on Biological Diversity Looks to Solutions Found in Nature” 21 May 2020

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[Science](#): Stokstad E “A deadly virus is killing wild rabbits in North America” 20 May 2020

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[Science](#): Cornwall W “Mount St. Helens 40 years later: what we’ve learned, and still don’t know” 18 May 2020

[Science](#): Stokstad E “United States relaxes rules for biotech crops” 18 May 2020

[The Independent](#): “Stop the Wildlife Trade: Dr Jane Goodall says we brought coronavirus pandemic 'on ourselves' with our treatment of animals” 21 May 2020

[The Independent](#): Boyle L “Stop The Wildlife Trade: EU biodiversity plan to crack down on illegal wildlife trade” 20 May 2020

- **Climate change and energy**

[npr](#): Sommer L *et al* “Traffic Is Way Down Because of Lockdown, but Air Pollution? Not So Much” 19 May 2020

[Extractives Baraza](#): “Coronavirus Widens Climate Rift between European and U.S. Oil Majors” 19 May 2020

[European Commission](#): “Opening Remarks by Commissioner Kadri Simson at the Session of the ITRE Committee” 19 May 2020

[University of Cambridge](#): “Green COVID-19 recovery packages can boost economic growth and tackle climate change, researchers say” 5 May 2020

[Lexology](#): “Nation Rise Wind Farm: Ontario Court Quashes the Minister’s Decision to Revoke a Key Approval” [USA] 19 May 2020

[Lexology](#): “Addressing Climate Change in Due Diligence for Real Estate Transactions” [USA] 20 May 2020

[Lexology](#): “Linking COVID-19 Government Financial Support to Climate Change Reform” [UK] 20 May 2020

[Lexology](#): “Carbon farming in Queensland - What you need to know” [Australia] 14 May 2020

[Science](#): Cho A “U.S. Department of Energy rushes to build advanced new nuclear reactors” [USA] 20 May 2020

[UtilityDive](#): Morehouse C “State-federal tension 'at an all time high' between MOPR, net metering attack, says head Maryland regulator” 22 May 2020

Borger J “US security officials 'considered return to nuclear testing' after 28-year hiatus” [The Guardian](#) 23 May 2020

Watts J “Could a green new deal turn South Korea from climate villain to model?” [The Guardian](#) 23 May 2020

Morton A “Australia's energy policy: a roadmap without a destination – Australian politics live podcast” [The Guardian](#) 22 May 2020

Carrington D “UK approval for biggest gas power station in Europe ruled legal” [The Guardian](#) 22 May 2020

[CleanEnergyWire](#): Wehrmann B “Soaring renewables output could save villages threatened by German coal mine expansion” 22 May 2020

- **Local government**

[Thomas Reuters](#): Batha E “Latest: How cities around the world are lifting coronavirus restrictions” 18 May 2020

[ICLEI](#): “Growing a healthy planet: Ten tips for planting the right trees in the right places”

[ICLEI](#) CityTalk: Vigran D “Natural asset maps provide local snapshots of urban biodiversity” 20 May 2020

[ICLEI](#) CityTalk: Vigran D and Parvez S “Hope in the City” tells a story of urban challenges and nature-based solutions” 19 May 2020

Sustainable Procurement [Platform](#): “Learn from and exchange with the EU-funded project AI4Cities” 16 April 2020

[ICLEI](#): “A guide for pollinator-friendly cities: How can spatial planners and land-use managers create favourable urban environments for pollinators?”

[Lexology](#): “Attention NJ Developers: NJDEP Adopts Amendments to Stormwater Management Rules Requiring the Use of Green Infrastructure” 19 May 2020

- **Mining**

[Extractives Baraza](#): “Ecuador Restarts Mines after Quarantine; Neighbors Protest” 19 May 2020

[Lexology](#): “Getting the right information in contaminated land reports” [Australia] 21 May 2020

[ICMM](#): Mining Principles (May 2020)

[The Guardian](#): Cox L “Koalas headed for 'localised extinction' at planned NSW Shenhua coalmine site” 20 May 2020

[The Guardian](#): Milman O “A proposed mine in Alaska will endanger brown bears – and much more” 20 May 2020

- **Water, oceans, waste and chemicals**

[Texas A&M School of Law](#): Tamu Law Students Build Toolbox For Those Seeking Freshwater Solutions” 20 May 2020

[Amnesty International](#): “Respect Indigenous Rights at Manitoba Hydro's Keeyask Dam” May 2020

- **Miscellaneous**

[Wolters Kluwer](#): Roos M “A Lawyer’s Life in China During the COVID-19 Outbreak” 12 May 2020

[Thomas Reuters](#): Biron CL “‘Commons' effort seeks to keep U.S. farmland affordable – indefinitely” 18 May 2020

[Thomas Reuters](#): Chandran R “Land conflicts flare across Asia during coronavirus lockdowns” 15 May 2020

[IISD](#) SDG Knowledge Hub: Leone F “UN Secretary-General Releases 2020 SDG Progress [Report](#)” 19 May 2020

[IISD](#) SDG Knowledge Hub: Leone F “Zero Draft of UN Anniversary Declaration Lists 12 Commitments to Action” 19 May 2020

[The Hill](#): Okoh M “Government should protect private information to defend public health” [USA] 21 May 2020

[IISD](#) SDG Knowledge Hub: Leone F “UN75 People’s Forum Adopts Recommendations for Strengthening Multilateralism” 21 May 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club First event: The ELA is inviting you to a scheduled Zoom meeting: Discussion of “Netflix “Plastic Ocean”

Time: 26 May 2020

Time: 09:00 PM Johannesburg

Join Zoom Meeting [here](#)

Meeting ID: 756 2762 2168

Password: 7h2vgq

Stream the documentary film ‘Plastic Ocean’ (available on Netflix) with fellow ELA members on 26 May at 7pm and join us for a Zoom discussion on the impacts and regulation of plastic immediately after the film. Look [here](#) for more information.

Africa Day Celebrations: Covid-19 and Africa’s future development: Challenges and opportunities

Date: 25 May 2020

Time: 09:00-15:45 (GMT +2/SAST)

Click [here](#) to register

ELA Annual Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: 4-5 September 2020

Place: Gauteng / Virtual

Deadline for abstracts: 31 July 2020

More information will follow

Applying the precautionary principle, the conference will proceed virtually if Covid-19 measures are still in place

The call for papers will be circulated separately.

ELA Annual Student Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: 3 September 2020

Closing date: 31 July 2020

Place: Gauteng / Virtual

The call for papers will be circulated separately.

ELA Streaming Club during lockdown and possibly even beyond

Date and time, Last Tuesday of the month, 20h00 (CAT)

During lockdown ELA members and friends are invited to engage in discussion and thought on pressing environmental issues through the joy of film and documentaries.

How it works:

Each month, a film or documentary will be selected by the ELA for streaming on the last Tuesday of the month at 8pm.

During the streaming, members and friends of the ELA are invited to comment on our Facebook event for live discussion about the film.

After the streaming, members and friends of the ELA are invited to participate in a Zoom discussion about the film, chaired by an ELA executive member, which will include guests with specialised knowledge related to the film or documentary.

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

NMU Faculty of Law Webinar: COVID-19 and the Courts: How is the pandemic impacting South Africa's justice system? What shifts lie ahead?

Date: Friday, 29 May 2020

Time: 13:00-14:00

More [information](#) and registration

International

ICLEI: Online 9th European Conference On Sustainable Cities & Towns: Mannheim2020

Date: 30 September - 02 October 2020

No participation fees

More [information](#)

Enhanced Oil Recovery: ICRLP Webinar

Date: Wednesday 3 June 2020

Time: 12:00 PM – 1:00 PM EDT

More [information](#) and registration by 2 June 2020

IRENA Webinar: FlexTool – Assessing power system flexibility to integrate a higher share of renewables

Date: Tuesday, 26 May 2020

Time: 02.00 PM (UTC)

To register: [click here](#)

Bioenergy in Africa webinar Key trends in commercial bioenergy development in Sub-Saharan Africa

Date: 27th of May, 2020

Time: 11.00 am– 12 pm (BST).

[Registration](#)

IAIA: Online training course: Foundations of Impact Assessment

Apply by 27 May to participate in IAIA's online training course.

This 12-week course will run 15 June through 4 September 2020. Participants start and complete the course within this period according to a schedule they arrange with their trainer. The course should take about 20-30 total hours to complete, and the course fee is US\$595.

The Foundations course is designed for early-career professionals with some EIA experience. 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. The course adopts a comprehensive definition of "environment" to include the physical, biological, resource use, social, cultural, health, and economic dimensions of the project environment.

Each course participant also receives one-on-one support from an experienced IAIA trainer through several online video conferences.

This course is part of IAIA's Professional Development Program (PDP), a series of trainer-supported online courses. Find out more [here](#).

[Registration](#)

International Solar Energy Society in collaboration with the Global Solar Council (GSC) webinar: Floating solar photovoltaics

Date: 28 May 2020

Time: 2PM GMT/UTC

The webinar will last for 2 hours and include presentations from international experts on the topic of floating solar photovoltaics and will also include a 30 min Q/A session for the audience!

For registration and more information [here](#)

Webinar: Trade and Climate after COVID-19: Subsidies, Stimulus, and Energy Price

Thursday, May 28, 14:00 GMT

More information and [registration](#)

NEWS

National

- **Biodiversity, protected areas and culture**

“Extension granted for submissions on work relevant to the high level panel into lion, rhino, elephant and leopard management” [DEAFF](#) 15 May 2020 [Legalbrief 18 May 2020]

Hyman A “Kuruman man convicted of having R250k worth of pangolin scales” [TimesLive](#) 15 May 2020

Govender S “SA's first pygmy seahorse species found on KZN coast” [TimesLive](#) 23 May 2020

Grobler R “Whales, dolphins and penguins among 75 marine species killed by ships – report” [News24](#) 22 May 2020

Criminal: CapeNature nabs rare plant poachers

“Conservationists’ fears that poachers have been taking advantage of the Covid-19 pandemic to roam and hunt for endangered species have been confirmed after two recent sting operations by CapeNature and the SAPS stock theft unit led to arrests. A Cape Argus report notes that poachers were caught in illegal possession of an estimated 11 000 endangered succulent plants destined for the illegal plant trade. Environmental Affairs and Development Planning MEC Anton Bredell, whose department includes CapeNature, said: ‘The arrests were made on 30 April and 8 May in the Matzikama region.’ ‘In April, three groups of hikers illegally accessed the Cederberg Wilderness area. Vehicles, drivers and hikers were apprehended and turned over to SAPS who issued relevant fines and warnings,’ he added.”

Full Cape Argus report (subscription needed) Legalbrief Environmental 19 May 2020

- **Climate change and energy**

“Agri SA says rising electricity tariffs are a major constraint for agriculture” [IOL](#) 21 May 2020

Dludla S “Eskom to sell assets to plug its debt hole” [IOL](#) 22 May 2020

Ensor L “Nersa grants Eskom almost half its RCA application” [BusinessLive](#) 15 May 2020 [Legalbrief 18 May 2020]

Steyn L “City of Cape Town and Gwede Mantashe face off in court over renewable energy” [BusinessLive](#) 12 May 2020

Energy: Wind can power SA's recovery – association

"The SA Wind Energy Association is calling on the government and financiers to place clean energy at the heart of post-Covid 19 stimulus measures, says a Business Day report. The association said it is pushing for a 'green economic recovery plan', which should consider renewable energy as one of the main components of the government's economic stimulus package after the Covid-19 pandemic and nationwide lockdown. The association said green power projects should form part of such measures as they will not only generate jobs in the short term but can also contribute to a lasting economic recovery while easing SA's electricity supply constraints. The association said renewable energy is well positioned to play an important role in SA's economic recovery as it is infrastructure investment that does not require government capital investment. ... The association said the first step to achieve this should be to fast-track the process for the National Energy Regulator of SA to provide concurrence with draft ministerial determinations that will enable the Mineral Resources & Energy Department to proceed with plans to procure new generation capacity in line with the Integrated Resource Plan."

Full Business Day report (subscription needed) Legalbrief 20 May 2020

General: eThekweni Municipality issues disconnection notices

"Notices of disconnection have been issued to parastatals and government departments that owe eThekweni Municipality more than R600m in rates and services. The Mercury reports the biggest contributors to the debt include the Ingonyama Trust to the tune of R184m and Section 21 schools, which owe the city R183m. This is almost 54% of the total debt owed by government entities. However, while the notices have been issued, the city has cited various reasons why the disconnections cannot take place at most of the entities, and that recovering the money was proving difficult. It said that subject to credit-control procedures, these government entities would be treated like any other customer. This was disclosed in a report brought before the city's executive committee meeting yesterday. While a possible solution had been found for the Section 21 schools, the city said the Ingonyama Trust remained a problem. Among the other entities included in the report is the national Department of Public Works, which owes the city more than R80m. The bulk of that debt accumulated due to rates levied on properties. However, since the department has applied for revenue-clearance certificates, it would not be possible to disconnect any services on these properties, the report read. It further stated that these properties were meant to be transferred 'years ago', but the transfer process was delayed by the State Attorney's office."

Full report in The Mercury (subscription needed) Legalbrief 20 May 2020

Competition: Commission issues buyer power regulation guidelines

"Guidelines have been published on the approach the Competition Commission intends taking in enforcing buyer power regulations gazetted in February, giving practical effect to sub-section 8(4)(a) of the 1998 Competition Act, as amended. The sub-section seeks to protect suppliers controlled or owned by historically disadvantaged persons from unfair pricing and trading conditions imposed on or required of them by dominant firms abusing market conditions. The regulations apply to three designated sectors: agro-processing; grocery wholesale/retail; and e-commerce/online services. Accompanying summaries and a document

answering frequently asked questions provide further insight into the prohibited practices concerned.”

Read full report in Legalbrief Policy Watch - Legalbrief Forensic 21 May 2020

Energy: Radiation group welcomes nuclear power plans

“The SA Radiation Protection Association (Sarpa) says it backs plans by the Department of Mineral Resources & Energy to explore options for a new 2 500MW nuclear power plant, notes a Cape Argus report. Sarpa said the implementation of the plan would ensure the security of energy supply. ‘Procurement is the next step of implementing provisions in the Integrated Resource Plan (IRP2019), which aims to respond to challenges faced within the energy sector ... We believe the announcement could not have come at a better time, as the country has in recent times witnessed unending energy supply challenges leading to load shedding, which affected business operations and households alike.’ The Nuclear Industry Association of SA added: ‘The implementation of the integrated resource plan, which advocates for the diversity of energy sources while at the same time ensuring the security of supply, is welcome and will set SA on a path of economic growth and prosperity.’”

Full Cape Argus report (subscription needed) Legalbrief Environmental 19 May 2020

- **Local government**

Lali V “Electricity protests after RDP homeowners disconnect informal settlement” [GroundUp](#) 22 May 2020

Sguazzin A “Cape Town seeks to procure its own power within 6 years” [IOL](#) 21 May 2020 – read also [biznews](#)

- **Mining**

Steyn L “Mining companies say universal Covid-19 testing is not feasible” [TimesLive](#) 22 May 2020

Steyn L “SA’s golden gas opportunity” [BusinessLive](#) 21 May 2020

“Mining becoming significant corporate buyer of renewable energy – ICM” [Mining Weekly](#) 21 May 2020

Criminal: Rustenburg hit by house invasions

“Mining company Sibanye-Stillwater says it is powerless to stop ‘armed and dangerous’ gangs from illegally occupying houses it owns in Rustenburg due to the lockdown, Beeld reports. Local politicians claim there have been sporadic house grabs in the town. Many of the houses have been sold to private individuals and await transfer. James Wellsted, senior vice-president of investor relations at Sibanye-Stillwater, says they have started litigation to evict the illegal occupants, but Covid-19 regulations tie their hands. ‘Houses from other companies are also being targeted,’ Wellsted says. ‘We cannot do much without the police’s assistance or lawful eviction orders as the houses are not on the mining premises, but in municipal areas.’ Police spokesperson Elsabé Augoustides said they will act when forewarned that people are invading properties. ‘However, we cannot act once the illegal occupation has taken place and a house is occupied.’”

Full Beeld report (subscription needed) Legalbrief 20 May 2020

- **Water, oceans, waste and chemicals**

Ellis E and Jubase H “Eastern Cape water activists free after lockdown arrest — and they vow to continue the fight” [Daily Maverick](#) 14 May 2020 [Legalbrief Environmental 19 May 2020]

Waste: Officers lack necessary authorisations – activists

“City of Cape Town law enforcement officers in the Solid Waste Department claim they have been illegally handing out fines for dumping and littering, as the City failed to issue them with appointment cards. According to a Cape Times report, some officers said they had been waiting for appointment cards since 2018, with others signing for them as recently as last week. The officers spoke on condition that they remain anonymous, and said without the appointment cards they were essentially ‘impersonating an officer’. The officer said he was concerned that those he fined might find out and take the matter to court. Action group STOP CoCT founder Sandra Dickson said: ‘The public is being misled. They are stopped by so-called law enforcement officers who cannot be identified. The City is exposing their employees to unnecessary abuse from the public.’ She said officers could easily be opening themselves up to being assaulted by members of the public should they not be able to produce the appointment cards. ‘The City is also opening itself up to litigation because some clever person can take them to court and nullify all these things, then it ends up being fruitless expenditure because they are spending on illegal things,’ she added. Mayco member for waste and water Xanthea Limberg disputed the claims, saying: ‘Staff do have appointment cards. An amendment was made to their powers which resulted in new cards being issued.’”

Full Cape Times report (subscription needed) Legalbrief Environmental 19 May 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“Climate change could leave fish swapping brains for brawn” [Belfast Telegraph](#) 20 May 2020

Green M and Spring J “British supermarkets threaten Brazil boycott over proposed forest law” [Reuters](#) 20 May 2020

Spring J “Deforestation boosts Brazil greenhouse gas emissions as global emissions fall” [Reuters](#) 21 May 2020

Herbling J “World Bank commits \$500m to fight locust swarms in Africa” [BusinessLive](#) 21 May 2020

Cockburn H “Climate crisis: Tropical rainforest ‘tipping point’ identified as scientists call for immediate action to tackle global warming” [The Independent](#) 23 May 2020

Wyatt T “Man fined for animal cruelty and not wearing face mask after wrestling with bear at Polish zoo” [The Independent](#) 23 May 2020

Costa C “Amazon under threat: fires, loggers and now virus” [BBC](#) 21 May 2020

“China says illegal hunting and trading of wild animals will be severely punished” [Reuters](#) 22 May 2020

Readfearn G “Endangered shorebirds unsustainably hunted during migrations, records show” [The Guardian](#) 22 May 2020

- **Climate change and energy**

“Australia confirms major reform plans for ERF, Safeguard Mechanism” [Carbon Pulse](#) 19 May 2020

“Swedish govt, businesses push proposals to strengthen EU market-based climate measures” [Carbon Pulse](#) 19 May 2020

MacDonald-Smith A “\$6b trans-Australia gas pipeline gets fresh legs” [Financial Times](#) 19 May 2020

“Poland's PKN prefers gas as fuel for new Ostrołęka power plant” [Reuters](#) 19 May 2020

Abnett K and Strauss M “EU mulls fertiliser cut to curb farming emissions: draft” [Reuters](#) 19 May 2020

“China govt agency makes clean energy push ahead of National Congress” [Carbon Pulse](#) 20 May 2020

Ambrose J “Coronavirus fallout to slow global growth in renewable energy” [Carbon Pulse](#) 20 May 2020

Kelly S and Sanicola L “EPA draft would lift US biofuel blending mandates slightly in 2021 – sources” [Reuters](#) 20 May 2020

“Cautious climate optimism as China ditches GDP target for 2020” [Carbon Pulse](#) 22 May 2020

“Lawmaker and solar tycoon calls for China to ditch ETS for carbon tax” [Carbon Pulse](#) 22 May 2020

“Drax: ClientEarth loses power station development battle” [UK] [BBC](#) 22 May 2020

Ambrose J “Renewable energy may be switched off as demand plummets” [UK] [The Guardian](#) 22 May 2020

Salamacha R “EU court turns away Nord Stream gas pipeline legal action” [The Jurist](#) 22 May 2020

McDermott M “Switzerland Supreme Court finds it is too early to claim fundamental human rights violations based on climate change” [The Jurist](#) 21 May 2020

Cuthbertson A “Coronavirus tracked: Global CO2 emissions ‘fell to lowest level in 14 years’ during lockdowns” [The Independent](#) 20 May 2020

Cockburn H “Renewable energy providers may be paid to switch off as demand plummets over bank holiday weekend” [The Independent](#) 23 May 2020

- **Environmental enforcement**

Singh SP “Ex Post Facto Environmental Clearance is Against the Fundamental Principles of Environmental Jurisprudence” [The Jurist](#) 20 May 2020

Spring J “Brazil minister calls for environmental deregulation while public distracted by COVID” [Reuters](#) 23 May 2020

- **Local government**

George L and Chile N “Outlook bright as solar energy keeps Nigerian homeworkers powered up” [Reuters](#) 22 May 2020

- **Mining**

Boyle L “Trump administration slows on fracking plans after outcry for impacted Navajo Nation” [The Independent](#) 21 May 2020

- **Water, waste, oceans and chemicals**

Gebre S and Wainer D “China urges Ethiopia to talk anew to Egypt about filling dam on Nile” [BusinessLive](#) 21 May 2020

Boyle L “Colourful corals are actually fighting for survival” [The Independent](#) 22 May 2020

Boyle L “Microplastic pollution in ocean could be double previous estimates, study finds” [The Independent](#) 22 May 2020

“Why a giant hydropower dam in Africa worries the US, China” [Engineering News](#) 22 May 2020

Ruggeri A “Miami’s fight against rising seas” [BBC](#) 23 May 2020

- **Miscellaneous**

Gupta S and Rosencranz A “COVID-19, the Government’s Response, and India’s Sustainable Development Goals” [The Jurist](#) 22 May 2020

Mauroni A “Federal appeals court rules on ‘Good Neighbor’ provision of Clean Air Act” [The Jurist](#) 21 May 2020

Cuthbertson A “Earth’s magnetic field is mysteriously weakening, causing satellites and spacecraft to malfunction” [The Independent](#) 22 May 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

North-West University Faculty of Law: Professor / Associate Professor / Senior Lecturer in Law (Private law/Commercial law)

Closing date: 26 May 2020

More [information](#)

North-West University Faculty of Law: Lecturer/Senior Lecturer

Closing date: 26 May 2020

More [information](#)

University of the Western Cape: Lecturer / Senior Lecturer: Mercantile Law

Closing date: 9 June 2020

More [information](#)

University of the Western Cape: Senior Lecturer: Labour Law

Closing date: 10 June 2020

More [information](#)

International

[PhD Scholarship in Political Ecologies of Payments for Ecosystem Services and Traditional Ecological Knowledge](#)

University of Antwerp Institute of Development Policy (IOB)

[Postdoc Research in Digitalisation and Taxation](#)

University of Antwerp Faculty of Law

[Assistant / Associate Professor of Public Law](#)

University of Helsinki Faculty of Law

[Research Associate in The Law in Digital Transformation](#)

University of Hamburg Faculty of Law

[PhD Position in Working Through Violence; SMEs and the SDGs in Fragile Urban Spaces](#)

University of Oslo

[Associate Professor of Administrative Law](#)

University of Lausanne

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 22

29 May 2020

Level 3 Lockdown

Although the economy is opening up – the danger of possible infection is real. Keep safe and keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club.

DIRECTIVES

Disaster Management Act 57 of 2002 -Directions

- GN 596 in GG 43355 of 26 May 2020 - Directions relating to the biodiversity sector published in GN 537 in GG 43323 of 14 May 2020 amended
- GN R595 in GG 43353 of 26 May 2020 - Covid-19 Temporary Relief Scheme, 2020 published in Gen Notice 215 in GG 43161 of 26 March 2020 amended
- GN 608 in [GG](#) 43364 of 28 May 2020 - Determination of Alert Levels and Hotspots
- GN 590 in GG 43351 of 26 May 2020 - Directions on the Risk-Adjusted Strategy for the Communications and Digital Technologies Sector published in GN 484 in GG 43263 of 3 May 2020 amended
- Gen Notice 302 in GG 43372 of 29 May 2020 - Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the Department of Basic Education, all provincial education departments, all education district offices and all schools in the Republic of South Africa
- GN 609 in GG 43365 of 28 May 2020 - Directions relating to norms and standards for religious gatherings published with effect from 1 June 2020
- GN 591 in GG 43352 of 26 May 2020 - Directions to permit travel and recommencement of studies for final year medical students registered at South African Public Universities during the academic year 2020 published with effect from 8 May 2020 and GN 533 in GG 43319 of 13 May 2020 replaced
- GN 589 in GG 43350 of 25 May 2020 - Health directions regarding measures to address, prevent and combat the spread of COVID-19 published in GN 457 in GG 43217 of 8 April 2020 amended
- GN 612 in GG 43373 of 30 May 2020 - Measures To Address, Prevent And Combat The Spread Of Covid19 In Railway Operations - GN 536 in GG 43322 of 14 May 2020 amended

- GN 613 in GG 43373 of 30 May 2020 - Measures To Prevent And Combat The Spread Of Covid -19 In The Public Transport Services – GN 493, in Government Gazette No. 43272 of 04 May 2020 amended
- GN 615 in GG 43373 of 30 May 2020 - Measures To Address, Prevent And Combat The Spread Of Covid -19 In The Air Services – GN 415, in Government Gazette No. 43160 of 26 March 2020 amended

NOTICES

Disaster Management Act 57 of 2002 - GN 608 in [GG](#) 43364 of 28 May 2020 - Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended with effect from 1 June 2020, unless otherwise indicated

National Environmental Management Act 107 of 1998 - GN 599 in [GG](#) 43358 of 29 May 2020 - Environmental Impact Assessment Regulations, 2014 amended

Petroleum Products Act 120 of 1977 - GN R610 in GG 43367 of 29 May 2020 - Regulations in respect of the maximum refinery gate price of liquefied petroleum gas published and GN R377 in GG 30932 of 1 April 2008 repealed

World Heritage Convention Act 49 of 1999 – Gen Notice 289 in GG 43358 of 29 May 2020 - Intention to proclaim certain land in the Northern Cape Province (the Kalahari Gemsbok National Park) to be the ‡Khomani Cultural Landscape World Heritage Site and to appoint the South African National Parks a management authority thereto - for comment and Gen Notice 290 in GG 42496 of 31 May 2019 withdrawn

World Heritage Convention Act 49 of 1999 – Gen Notice 290 in [GG](#) 43358 of 29 May 2020 - Intention to proclaim certain land in the Mpumalanga Province to be the Barberton Makhonjwa World Heritage site and to declare the MEC of Finance, Economic Development and Tourism (Mpumalanga) the management authority thereto - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - GN 598 in [GG](#) 43358 of 29 May 2020 - Withdrawal of the declaration of the specified farms as part of the Karoo National Park

PROVINCES

Northern 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 – Gen Notice 52 in PG 2344 of 25 May 2020 - Umsobomvu Municipality - Draft Spatial Planning and Land Use By-law - for comment

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 20185 in PG 8240 of 29 May 2020 - Oudtshoorn Local Municipality - Draft Integrated Zoning Scheme By-law – for comment

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20175 in PG 8240 of 29 May 2020 - Drakenstein Local Municipality - Integrated Waste Management By-law, 2020

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 100 in PG 4410 of 25 May 2020 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions for a further month

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 43 in PG 3080 of 29 May 2020 - Thulamela Local Municipality - Draft Land Use Management Scheme – for comment

CASES

National

Makeshift 1190 (Pty) Ltd v Cilliers (A38/2020) [2020] [ZAWCHC](#) 41 (25 May 2020)
“Spoliation – order for restoration of electricity – Jurisdiction of magistrates’ court”

S v Tshetu 2020 (1) SACR 525 (ECB)
“Sentence—Compensatory order—Application in terms of s 300 of Criminal Procedure Act 51 of 1977—Requirements—Application must emanate from injured person and not prosecutor—Criminal Procedure Act 51 of 1977, s 300.”

Economic Freedom Fighters v Gordhan and Others; Public Protector and Another v Gordhan and Others [2020] [ZACC](#) 10

“Summary: Interim interdict — remedial action of Public Protector — separation of powers — appealability of interim interdicts — prospects of success — costs orders — applicability of *Biowatch* principle — personal costs orders — appealability of costs orders”

The South African History Archive Trust v The South African Reserve Bank and Another (Case no 17/19) [2020] [ZASCA](#) 56 (29 May 2020)

“Summary: Promotion of Access to Information Act 2 of 2000 – request for records of certain persons – refusal of request – Section 47 applied to records of two persons – failure of information officer to take reasonable steps to inform them of request – access refused – Section 49(2) invoked to make decision – decision to refuse access *ultra vires* – reviewed and set aside and compliance with section 47 directed prior to making decision;

Refusal of access by public body – review of refusal – grounds for refusal sourced in chapter 4 – no basis made out for refusal – decision to refuse reviewed and set aside – access to records to be granted.”

“[1] The appellant is a non-governmental organisation. Researchers from the Open Secrets Project are collecting material for a book. The book plans to deal with apartheid era procurement practices and public accountability.

It will include analysis of abuses of the financial rand, corruption and foreign exchange transactions under apartheid. This falls within the scope of information archived by the appellant and made available to the public. The research to be undertaken requires documents from that era.”

International

County of San Mateo v Chevron Corporation Case No [18-15499](#) United States Court of Appeals for The Ninth Circuit - decided 26 May 2020

City of Oakland v BP PLC, Chevron and others Case No [18-16663](#) United States Court of Appeals for the Ninth Circuit – decided 26 May 2020

“Chevron Corp. and other fossil fuel companies may have to face suits by California cities and counties seeking climate change-related infrastructure damages in state court after the Ninth Circuit said Tuesday that the cases don't raise issues of federal law.

A Ninth Circuit panel vacated a district court's dismissal of suits lodged by Oakland and San Francisco, saying the cities' suit asserting state-law nuisance claims against energy companies wasn't completely preempted by the Clean Air Act. It remanded the case to the district court.

Meanwhile, the same panel said another federal district court correctly held that it lacked jurisdiction over similar suits brought by several other California cities and counties.

With the pair of opinions issued Tuesday, the Ninth Circuit joins the Fourth Circuit in concluding that climate-related tort suits are a matter of state, not federal law. U.S. Circuit Judges Sandra S. Ikuta, Morgan Christen and Kenneth Kiyul Lee sat on the panel for the Ninth Circuit.

PUBLICATIONS

National

2020 116(5/6) [South African Journal of Science](#) - special edition on marine plastic debris

- Godfrey L “Are there gaps in our understanding of marine plastic pollution?”
- Verster C and Bouwman H “Land-based sources and pathways of marine plastics in a South African context”
- Ryan PG “The transport and fate of marine plastics in South Africa and adjacent oceans”
- Naidoo T, Rajkaran A, Sershen “Impacts of plastic debris on biota and implications for human health: A South African perspective”
- Arabi S and Nahman A “Impacts of marine plastic on ecosystem services and economy: State of South African research”
- Ryan PG *et al* “Monitoring marine plastics – will we know if we are making a difference?”
- Hanekom H “South African Initiative to End Plastic Pollution in the Environment”
- De Kock L *et al* “A circular economy response to plastic pollution: Current policy landscape and consumer perception”
- Marlin D and Ribbink AJ “The African Marine Waste Network and its aim to achieve ‘Zero Plastics to the Seas of Africa’”

- Ubomba-Jaswa E and Kalebaila N “Framing the plastic pollution problem within the water quality–health nexus: Current understandings and policy recommendations”

International

Scott I “The Trouble with Boycotts: Can Fossil Fuel Divest Campaigns Be Prohibited?” 2020 [American Business Law Journal](#) forthcoming

Chi Xu *et al* “Future of the human climate niche” 2020 117(21) [PNAS](#) 11350–11355

Jacobs C and Almeida B “Land and climate change: Rights and environmental displacement in Mozambique” (Van Vollenhoven Institute Research [report](#) April 2020)

Craig RK “Hurricanes and the National Flood Insurance Program: Is Congress Paying Attention?” 2020 34:3 [Probate & Property](#) 24-30

Craig RK “Water Law and Climate Change in the United States: A Review of the Legal Scholarship” 2020 7:3 [WIREs Water](#) e1423

Craig RK “Warming Oceans, Coastal Diseases, and Climate Change Public Health Adaptation” 2020 10:1 [Sea Grant Law & Policy Journal](#) 3-28

Craig RK “The New United Nations High Seas Treaty: A Primer 2020 Insights” 34:4 [Natural Resources & Environment](#)

Robin Kundis Craig, Ruhl JB and Garmestani A “Reply to MacLean: The flexibility of existing laws is an essential element of environmental governance” 2020 117(13) [PNAS](#)

Craig RK “Fostering Adaptive Marine Aquaculture Through Procedural Innovation in Marine Spatial Planning” 2019 110 [Marine Policy](#) 103555

Garmestani A *et al* “The Role of Social-Ecological Resilience in Coastal Zone Management: A Comparative Law Approach to Three Coastal Nations” 2019 7 [Frontiers: Ecology & Evolution](#) art. 410

Garmestani A *et al* “Untapped capacity for resilience in environmental law, policy and organizations” 2019 116:40 *Proceedings of the National Academy of Sciences* ([PNAS](#)) 19899-19904

Craig RK “Constitutional Environmental Law, or, the Constitutional Implications of Insisting that the Environment Is Everybody’s Business” 2019 49 [Environmental Law](#) 703-736

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

• Biodiversity

[Mail & Guardian](#): Samwaya MJ “Threads of life: We have an opportunity to restore vital ecosystems” 21 May 2020

- **Climate change and energy**

[The Conversation](#): Winkler H “The case for turning South Africa’s coal fields into a renewable energy hub” 25 May 2020

[Engineering News](#): Bulbulia T “Different scenarios possible for country’s energy sector in face of pandemic” 29 May 2020

- **Mining**

[Webber Wentzel](#): Collier K and Mofokeng T “Mine employers & Covid-19 - the Guidelines & Mandatory Code of Practice unpacked” 20 May 2020

[Mining Weekly](#): “South Africa’s biggest emitters to be exposed to public scrutiny” 29 May 2020

[Mining Weekly](#): Liedtke S “Global mining industry will need to operate, sustain itself under new normal post Covid-19” 29 May 2020

- **Water, waste, oceans and chemicals**

[Daily Maverick](#): Breaky J “Proposed rules on waste reclaimers are xenophobic and exclusionary” 29 May 2020

[Daily Maverick](#): Steytler M “Give women safe water now so that future generations have a chance to thrive” 29 May 2020

Africa

- **Biodiversity, protected areas and culture**

[Natural Justice](#): Raharijaona SA & Rasolojaona J “A look at the legislative process integrating community land rights in Madagascar” 27 May 2020

[The Guardian](#): Cordall SS “Tunisia’s sea turtles are beating the odds as they inch towards survival” 31 May 2020

[The Independent](#): Boyle L “Stop The Wildlife Trade: One of Africa’s largest nature reserves and home to four pangolin species expands its protection” 30 May 2020

[The Conversation](#): Kuiper T and Milner-Gulland EJ “Statistical models and ranger insights help identify patterns in elephant poaching” 21 May 2020

- **Climate change and energy**

[Extractives Baraza](#): Bogere J “Affordable Cooking Gas Plan Gains Steam” 26 May 2020

[Extractives Baraza](#): Bogere J “Africa’s Oil Producers Eye Energy Independence after Covid-19” 26 May 2020

[IISD](#) SDG Knowledge Hub: Antonich B “NDC Update: Rwanda is First LDC in 2020, Andorra Commits to Carbon Neutrality by 2050” 26 May 2020

[IISD](#) SDG Knowledge Hub: Mead L “EU Chemicals [Legislation Finder](#) Enables Companies to Track Legal Obligations” 26 May 2020

[IISD](#) SDG Knowledge Hub: Gordon-Harper G “155 Companies Urge Governments to Enact Net Zero Emissions Recovery from COVID-19” 26 May 2020

- **Local government**

[The Conversation](#): Abass K and Afriyie K “Urban spread is turning the lives of Ghanaian farmers upside down” 26 May 2020

[The Conversation](#): Harding R “Urbanites across Africa are more likely to be unhappy with their government. Here’s why” 21 May 2020

- **Mining**

[Extractives Baraza](#): Bogere J “Extractives and the Environment: Kenya’s Legal and Institutional Framework” 19 May 2020

[Extractives Baraza](#): Bogere J “Sand Mining Resumes on L.Victoria Shores” 26 May 2020

[Extractives Baraza](#): Bogere J “Google to Stop Making AI Tools for Oil and Gas Extraction” 26 May 2020

[Extractives Baraza](#): “Community Fact Sheet: Handling Extractives Related Grievances in the Mining Sector” 28 August 2019

[allAfrica](#): Udegbumam Oge “Africa: West Africa At Risk of Desert Locusts' Invasion – FAO” 27 May 2020

[The Conversation](#): Graham E *et al* “Ghana has tried to be responsible with its oil wealth. This is how” 28 May 2020

[The Conversation](#): Geenen S and Verbrugge B “Meet the struggling gold miners who are missing out on boom in the precious metal” 21 May 2020

- **Water, waste, oceans and chemicals**

[IISD](#) SDG Knowledge Hub: Mead L “Kazakhstan, Nigeria, and South Africa Strengthening Capacity to Manage Chemicals” 28 May 2020

[The Independent](#): Ram E “Worst flooding in generations in Kenya devastates communities reeling from locust swarms and Covid-19” 31 May 2020

[The Conversation](#): MacAlister J *et al* “Why drought programmes in Ethiopia should support communal access to groundwater” 26 May 2020

- **Miscellaneous**

[allAfrica](#): “Africa: Benin and Ivory Coast Withdraw Declarations From Rights Court” 23 May 2020

[Mail & Guardian](#): Mohammed AJ “Africa can build back better after Covid-19” 27 May 2020

[allAfrica](#): Majeed A “Africa: COVID-19 - Additional 23 Million People Face Acute Poverty in Sub-Saharan Africa – Ifad” 30 September 2020

[allAfrica](#): Peyton “Africa: Idris Elba Sounds Alarm As Pandemic Threatens Food Crisis for Farmers” 29 May 2020

[The Conversation](#): Fevre E and Cook E “Do Kenya’s camel handlers face a threat from MERS? What we found” 27 May 2020

International

- **Biodiversity, national parks and culture**

[Npr](#): Greenfieldboyceherd N “Of Fuzzy Green 'Glacier Mice' Baffles Scientists” 22 May 2020

[Science](#): Voosen P “No asteroids needed: ancient mass extinction tied to ozone loss, warming climate” 27 May 2020

[Science](#): Cornwall W “Court rules ‘Dueling Dinosaurs’ belong to landowners, in a win for science” 22 May 2020

[The Independent](#): Boyle L “Stop the Wildlife Trade: Descriptions of new species in research can help traffickers find them” 29 May 2020

[The Sydney Morning Herald](#): Sydney fishers call for Oyster reefs at Port Botany” 31 May 2020

[BBC](#): Dunham W “Millipede from Scotland is world’s oldest-known land animal” 30 May 2020

- **Climate change and energy**

[Lexology](#): “Political Debate Heats Up Over Private Financial Institutions and the Fossil Fuel Industry Amidst COVID-19 Economic Uncertainty” [USA] 22 May 2020

[Lexology](#): “What GHG Emissions Must FERC Analyze When Approving Oil and Gas Pipelines?” [USA] 15 May 2020

[Lexology](#): “Competition law needs to cooperate: companies want clarity to enable climate change initiatives to be pursued” 29 April 2020

[IISD](#) SDG Knowledge Hub: Dubois O “Linking Energy, Food Security, and Health Can Help Face COVID-19” 26 May 2020

[IISD](#) SDG Knowledge Hub: Alers M “How Clean Energy Can Power a COVID-19 Recovery” 28 May 2020

[Lexology](#): “Three Big-Emitting Countries Fail To Protect Children From Direct, Imminent And Irreversible Climate Risks” 5 May 2020

[Lexology](#): “Energy transition - background and perspective” [Belgium] 19 May 2020

[Lexology](#): “The Non-Domestic Renewable Heat Incentive” [UK] 26 May 2020

[Lexology](#): “The UK government has proposed further changes to the Renewable Heat Incentive to assist in the transition to a future support mechanism for low carbon heat” 27 May 2020

[Carbon Brief](#): Gabbatiss J “Four more years of Donald Trump could ‘delay global emissions cuts by 10 years’” 27 May 2020

[The Independent](#): Cockburn H “Antarctic ice shelves melted at speeds of 50 metres a day at end of last Ice Age, scientists warn” 29 May 2020

[The Independent](#): Pluskowski A, Brown A and Banerjee R “Rewilding isn’t new – they were doing it during the medieval Baltic Crusades” 28 May 2020

[BBC](#): “Climate change: Amos J ‘Stunning’ seafloor ridges record Antarctic retreat” 29 May 2020

- **Environmental enforcement**

[Lexology](#): “Human Rights and Environment: EU to Propose Legislation Requiring Due Diligence Through Supply Chains” 28 May 2020

- **Mining**

[Extractives Baraza](#): Bogere J “Northern Dynasty’s Pebble Project Passes Key Milestone” 26 May 2020

[Extractives Baraza](#): Bogere J “Gold Giant Australia is Firing Back up a Record Exploration Boom” 26 May 2020

[Lexology](#): “Children Urge Norway to Block Arctic Oil and Gas Drilling to Protect Their Rights to Life and Health” 13 May 2020

[Mining Weekly](#): Iannucci E “Fortescue facing compensation claims after High Court ruling” 29 May 2020

- **Water, oceans, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Mead L “European Commission Adopts Circular Economy Action Plan” 28 May 2020

[The Independent](#): Dalton J “Car tyres polluting huge swathes of seas and rivers, contaminating more than previously thought, say scientists” 28 May 2020

[The Independent](#): Boyle L “Deep ocean will be warming rapidly by 2050 even if global emissions decline” 28 May 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Thornberry F “Using Human Rights to Leave No One Behind: COVID-19 Responses and Beyond” 26 May 2020

[IISD](#) SDG Knowledge Hub: Mead L “Countries Commit to Work Together to Combat COVID-19 at World Health Assembly” 26 May 2020

[IISD](#) SDG Knowledge Hub: Leone F “Network Reviews Challenges for National SDG Planning During Pandemic” 26 May 2020

[IISD](#) SDG Knowledge Hub: Mead L “UNCTAD Report Calls for Trade Facilitation to Protect Public Health, Ensure Undisrupted Movement of Goods” 28 May 2020

[IISD](#) SDG Knowledge Hub: Leone F “Multi-stakeholder Campaign Gathering Perceptions, Examples of SDG Accountability” 28 May 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ASSAf SAJS: Q&A with the authors on Marine Plastic Debris in South Africa

Date: 4 June 2020

Time: 10:30-11:30

Register [here](#)

Please contact [Nadia](#) for further enquiries

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 31 July 2020

More information will follow

The call for papers will be circulated separately.

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: 31 July 2020

Place: Virtual

The call for papers will be circulated separately.

ELA Streaming Club during lockdown and possibly even beyond

Date and time, Last Tuesday of the month, 20h00 (CAT)

During lockdown ELA members and friends are invited to engage in discussion and thought on pressing environmental issues through the joy of film and documentaries.

How it works:

Each month, a film or documentary will be selected by the ELA for streaming on the last Tuesday of the month at 8pm.

During the streaming, members and friends of the ELA are invited to comment on our Facebook event for live discussion about the film.

After the streaming, members and friends of the ELA are invited to participate in a Zoom discussion about the film, chaired by an ELA executive member, which will include guests with specialised knowledge related to the film or documentary.

Imbewu Online Training: Renewable Energy Workshop

SACNASP Accreditation (0.6 CPD Points)

Date:

Course [Programme](#)

Registration for this online workshop contact [Lulu Lewis](#) / 082 8585 217 / 011 214 0660

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

International

Institute for Carbon Removal Law and Policy Webinar: Enhanced Oil Recovery (EOR)

Date: Wednesday 3 June 2020

Time: 12:00 PM – 1:00 PM EDT

More [information](#)

Environmental Law Center at Vermont Law School Annual Hot Topics lecture series in a virtual format

You are welcome to tune in on select Tuesdays and Thursdays at noon via [vermontlaw.edu/live](#). The first talk is today and the series will run through July. Additional details are below in our recent newsletter, and you can visit [vermontlaw.edu/hot-topics](#) for the full schedule.

Global Network for Human Rights and the Environment webinar series on 'Human Rights Strategies in Climate Change Litigation'

Each webinar will focus on a different region of the world, providing a perspective on how human rights strategies are being used in climate litigation.

Our first [webinar](#)

Date: Monday 8 June 16:00 CEST

Further information on the webinar and on how to register is available [here](#)

Vermont Law School's Online Colloquium on Environmental Scholarship

Date: 26 September 2020

Deadline for abstracts is this Monday, May 31. Please submit abstracts of 200-300 words using the online form [here](#). For an abstract to be eligible for submission, the author must anticipate that the paper will be a true working draft (neither published nor so close to publication that significant changes are not feasible) by the date of the Colloquium. We will do our best to notify authors about acceptances by June 19.

Secondly, due to uncertainty around fall travel and Covid-19, we will be moving the Colloquium online this year. It will still take place September 26, 2020. We are sorry to be missing the chance to host you all in Vermont but we are planning to find ways to capture the spirit of the Colloquium in the online format. We will be sure to include opportunities to meet up with each other outside of the scheduled panels and maintain the camaraderie of the in-person event. Further Colloquium details will be updated [here](#)

For more information on the Colloquium, or if you need assistance uploading your abstract, please contact [Courtney Collins](#)

RFF-CMCC-NAVIGATE Webinar Meeting: well-below 2°C target would increase energy sector jobs

Date 9 June 2020

Time: 3.00 pm - 4.00 pm CEST

[Registration](#) and more [information](#)

NEWS

National

- **Biodiversity, protected areas and culture**

Caboz J "20 African natural wonders could get World Heritage site status - including Succulent Karoo desert in SA" [Business Insider SA](#) 29 May 2020

Environmental: Shark management, conservation plan under review

"The review of SA's action plan for shark management and conservation now under way was prompted by 'public concern about shark populations'; changes in the distribution of great white sharks; and increasing 'conflict between fishers and tourism operators'. This is according to Friday's media statement on the review, which is expected to take three months. Issues identified in 2018 during a local review – and likely to receive the attention of the newly-appointed panel of national and international experts – include ensuring the sustainability of 'shark catches from direct and non-direct fisheries'; minimising 'unutilised incidental shark catches'; improving 'species-specific catch and landing data' and shark catch monitoring; and minimising shark catch waste and discards. To be conducted

virtually/remotely, the review will be 'guided by the aims' of the UN Food & Agricultural Organisation's international plan."

Read full report in Legalbrief Policy Watch 25 May 2020

- **Climate change and energy**

Yelland C "Eskom investigating air pollution contravention allegations" [MoneyWeb](#) 18 May 2020

Sguazzin A "Eskom plan to skip pollution equipment not legally feasible" [fin24](#) 26 May 2020

Majola N "R92 million and six years later no electricity in Makhabeleni" [GroundUp](#) 29 May 2020

Sguazzin A "Eskom plan to skip pollution equipment not legally feasible" [News24](#) 26 May 2020

Energy: IPP power supply moves a step closer

"The process to procure 'emergency' energy capacity edged closer to being realised this week, with a decision by SA's energy regulator that it should proceed. A Business Day report notes while it was intended as an urgent measure to tackle the power gap, the process has not yet begun and it is expected it will take several years before it comes on stream. Department of Mineral Resources & Energy Deputy DG Jacob Mbele told a parliamentary committee meeting yesterday that the National Energy Regulator (Nersa) had concurred with the ministerial determination made at the end of February. The determination and concurrence process are required by section 34 of the Electricity Regulation Act. 'One of the biggest milestones has been achieved with the concurrence of Nersa on the section 34 determination last week. The department is now working with the Independent Power Producer (IPP) office and preparing documentation for procurement of 2 000MW and we believe that it should be out in the next month to month-and-a-half,' said Mbele. The IPP office will run the procurement process for bidders – which could include both renewable and other energy producers – and Eskom will be the buyer of the power. A second determination made by Mineral Resources & Energy Minister Gwede Mantashe in February for a new round of renewable energy was still under consideration, he said. Industry sources say a likely scenario is that construction will begin in 2022."

Full Business Day report (subscription needed) Legalbrief 27 May 2020

- **Mining**

Ngoepe K and Mzilikazi WA "Mining community reeling from Covid-19 outbreaks" [News24](#) 31 May 2020

"Minister urges mines to test without fear of mine closure" [Mining Weekly](#) 29 May 2020

- **Water, oceans, waste and chemicals**

Ngubande N "Women dig up old spring to solve village's water problem" [GroundUp](#) 28 May 2020

Postman Z “Covid-19: court to rule on reclaimers’ right to work” [GroundUp](#) 28 May 2020

- **Miscellaneous**

Broughton T “Court challenge to government’s ‘peanut butter sandwich ban’” [GroundUp](#) 25 May 2020

Covid-19 crisis: New directive on handling human remains

“The procedures to be followed when handling the mortal remains of people who succumb to the Covid-19 virus are spelled out in an explicit ministerial directive gazetted late last night. Among other things, they deal with steps to be taken by poor households when a family member dies at home – also providing for mass burials ‘should the need ... arise’. In addition, the directive provides more details on matters already dealt with more superficially in the disaster management regulations and other ministerial directives. These include quarantining people returning to SA and ‘the evacuation of foreign nationals’.”

Read full report in Legalbrief Policy Watch 26 May 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“Fishers Get ESA Protection in Southern Sierra” [USA] [Lexology](#) 22 May 2020

“Willow Glen Trestle Conservancy v. City of San Jose” [USA] [Lexology](#) 22 May 2020

“Rio Tinto apologises to traditional owners after blasting 46,000-year-old Aboriginal site” [The Guardian](#) 31 May 2020

Weston P “Large heath butterflies return to Manchester after 150 years” [The Guardian](#) 29 May 2020

Carrington D “Climate crisis making world’s forests shorter and younger, study finds” [The Guardian](#) 28 May 2020

Cox L “Australia’s national environment laws ‘actually allow extinction to happen’” [The Guardian](#) 30 May 2020

Boyle L “Stop The Wildlife Trade: China calls dogs ‘companions’ and removes as livestock ahead of Yulin dog meat festival” [The Independent](#) 30 May 2020

Hannam P “Call for forestry halt after koala national park assessment revealed” [The Independent](#) 31 May 2020

- **Climate change and energy**

Jolly J “German court rules against Volkswagen in ‘dieselgate’ scandal” [The Guardian](#) 25 May 2020 [Legalbrief 26 May 2020] – read [The Jurist](#)

Carrington D “UK approval for biggest gas power station in Europe ruled legal” [The Guardian](#) 22 May 2020 [Legalbrief 26 May 2020]

“UN accepts UK proposal to host COP26 in Nov. 2021” [Carbon Pulse](#) 28 May 2020

“Coronavirus puts Denmark’s carbon tax increase on ice” [Carbon Pulse](#) 28 May 2020

Gilmer EM “Fast-Track Permits Stay Blocked for Keystone XL, Other Pipes (1)” [Bloomberg News](#) 28 May 2020 – read also [The Jurist](#)

Wettengel J “Slowing economy causes sizable German energy use decrease in first quarter 2020” [CleanEnergyWire](#) 28 May 2020

Mauroni A “Federal appeals court sends public nuisance claims against petroleum producers to state court” [The Jurist](#) 28 May 2020

Walker S “Federal appeals court upholds dismissal of Fukushima nuclear disaster claims” [The Jurist](#) 26 May 2020

Iqbal N and Ejaz SM “Upsurge of Environmental Hazards and the Need for Global Recognition of the Right to a Healthy Environment” [The Jurist](#) 25 May 2020

Rankin J “EU pledges coronavirus recovery plan will not harm climate goals” [The Guardian](#) 28 May 2020

Skarbek A “Finally there is real movement on Australia's climate policy but time isn't on our side” [The Guardian](#) 31 May 2020

Arnoldi M “Juwi starts work on fourth hybrid renewable energy project in Australia” [Mining Weekly](#) 28 May 2020

“U.S. Treasury unveils rules for carbon capture tax credits” [Reuters](#) 29 May 2020

- **Environmental enforcement**

“Alberta Energy Regulator Issues Revised Environmental Monitoring Requirements During COVID-19” [Canada] [Lexology](#) 22 May 2020

“EPA Releases Proposed Rule Intended to Improve the Transparency of Guidance” [USA] [Lexology](#) 21 May 2020

“NGOs State That EPA Fails to Meet Regulatory Requirements” [USA] [Lexology](#) 19 May 2020

“Environmental Implications of President Trump’s Executive Order on Enforcement and Regulatory Relief” [Lexology](#) 22 May 2020

“EPA May Again Update Enforcement and Cleanup Policies in Light of New COVID-19 Executive Order” [Lexology](#) 22 May 2020

Green M “Investors, scientists urge IEA head to take bolder climate stance” [Reuters](#) 29 May 2020

“German government fails to agree on green hydrogen strategy” [Reuters](#) 29 May 2020

Wettengel E “Massive offshore wind expansion could solve German hydrogen strategy gridlock” [CleanEnergyWire](#) 29 May 2020

- **Local government**

Amelang S “Corona crisis shakes up shift to sustainable urban mobility” [CleanEnergyWire](#) 29 May 2020

Singh M “A summer unlike any other’: heatwaves and Covid-19 are a deadly combination” [The Guardian](#) 30 May 2020

- **Mining**

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Steyn L “Total’s Mozambique gas project secures \$15bn” [BusinessLive](#) 28 May 2020

Smee B “Warning on use of fracking chemicals in Queensland’s channel country” [The Guardian](#) 30 May 2020

Hannam P “‘Bulging valleys’: Call for state to halt catchment coal mining” [The Independent](#) 1 June 2020

Arnoldi M “Mkango Resources to recycle rare earths from scrap equipment” [Mining Weekly](#) 28 May 2020

Nangoy F “Indonesia processing requests for deep-sea mining waste disposal, says gov’t official” [BBC](#) 31 May 2020

- **Water, waste, oceans and chemicals**

Harvey F “Improve water supply in poorer nations to cut plastic use, say experts” [The Guardian](#) 27 May 2020 [provided by Michael Kidd]

Kevany S “Animal feedlots are a likely threat to drinking water in Minnesota, says report” [The Guardian](#) 28 May 2020

Ikela S “Namibia: Authorities Probe Dumping of Medical Waste” [The Namibian](#) 19 May 2020 [Legalbrief 26 May 2020]

Williams K “Federal appeals court allows lawsuit against former public officials in Flint water crisis to proceed” [The Jurist](#) 25 May 2020

Gilbert S “US south-west in grip of historic ‘megadrought’, research finds” [The Guardian](#) 29 May 2020

Boseley M “Surgical masks wash up on Sydney beaches after 40 containers fall off cargo ship” [The Guardian](#) 27 May 2020

- **Miscellaneous**

Kumar A and Prakash R “COVID-19 and the Impending Need for Global Health Governance” [The Jurist](#) 25 May 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

International

Traineeship on rural electrification in Africa at the European Commission JRC

The link for the application is [here](#)

For more information contact [Magda Moner-Girona](#)

The Territory, Citizenship and Sustainability Research Group at Rovira i Virgili University seeks post-doc fellows on LAW

We are interested in receiving proposals in the areas of:

- ω [Environmental Crime](#)
- ω Sociolegal studies/Emerging [Rights](#)
- ω Digital Rights and [Democracy](#)
- ω Energy, Governance and [Global Crisis](#)

Selected candidates will receive strong support by one or more researchers of the group (depending on the area) to write a successful proposal and submit the application for the Call: Marie Skłodowska-Curie Individual Fellowships (IF) 2020. Expressions of interest must be submitted to uspir@urv.cat (Title of the e-mail "URV- MSCA - IF – Name of responsible professor").

[Website](#)

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

5 June 2020

Level 3 Lockdown

Although the economy is opening up – the danger of possible infection is real. Keep safe and keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club.

World Environment [Day](#) 5 June 2020

World Oceans [Day](#) 8 June 2020

BILLS

Bills before Parliament

Economic Regulation of Transport Bill (B1-2020)
National Road Traffic Amendment Bill (B20-2020)
Independent Electricity Management Operator Bill (B14-2019)
National Health Insurance Bill (B11 – 2019)
National Health Amendment Bill (B29 – 2018)
Science and Technology Laws Amendment Bill (B42 – 2018)
National Environmental Management Laws Amendment Bill (B12-2017)
National Forests Amendment Bill (B11-2016)

Bills before the President

National Minimum Wage Amendment Bill (B9 – 2019)
Promotion of Access to Information Amendment Bill (B20-2019)
National Land Transport Amendment Bill (B7-2016)

[Source: Imbewu May 2020 SHE Legislation Update]

ACTS

Foreign Service Act 26 of 2019 - GG 43403 of 4 June 2020 – date of commencement to be proclaimed

Promotion of Access to Information Amendment Act 31 of 2019 - GG 43388 of 3 June 2020) – commencement to be proclaimed

Hydrographic Act 35 of 2019 - GG 43389 of 3 June 2020 – commencement to be proclaimed

DIRECTIVES

Disaster Management Act 57 of 2002 – Directions:

- GN 648 in GG 43410 of 5 June 2020 - Directions Regarding measures to Address, Prevent and Combat the Spread of COVID-19 relating to the Freshwater and Marine Fishing Sectors [emailed separately]
- GN 650 in GG 43412 of 5 June 2020 - Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to National Environmental Management Permits and Licences [emailed separately]
- GN 649 in GG 43411 of 5 June 2020 - Directions for Alert Level 3 Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to the Forestry Sector [emailed separately]
- GN 647 in GG 43409 of 5 June 2020 - Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to the Biodiversity Sector [emailed separately]
- GN 623 in GG 43383 of 2 June 2020 - Directions: Coronavirus COVID-19 Alert level 3: Courts, court precincts and justice service points
- GN 617 in GG 43378 of 1 June 2020 - Directions: Resumption of Construction and Related Services in Post School Education and Training Institutions under Coronavirus COVID-19 lockdown
- GN R639 in GG 43400 of 4 June 2020 - Consolidated Direction on Occupational Health and Safety Measures in Certain Workplaces published and COVID-19 Occupational Health and Safety Measures in Workplaces COVID-19 (C19 OHS), 2020 published in GN 479 in GG 43257 of 29 April 2020 replaced
- GN 623 in GG 43383 of 2 June 2020 - Directions for all courts, court precincts and justice service points
- GN 617 in GG 43378 of 1 June 2020 - Directions for the resumption of construction and related services in post school education and training institutions published with effect from 1 May 2020
- GN 615 in GG 43375 of 30 May 2020 - International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended with effect from 1 June 2020
- GN 613 in GG 43373 of 30 May 2020 - Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Directions, 2020 published in GN 536 in GG 43322 of 14 May 2020 amended with effect from 1 June 2020
- GN 614 in GG 43374 of 30 May 2020 - Public Transport Services Directions, 2020 published in GN 493 in GG 43272 of 4 May 2020 amended with effect from 1 June 2020

- GenN 304 in GG 43381 of 1 June 2020 - Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the Department of Basic Education, all provincial education departments, all education district offices and all schools in the Republic of South Africa published in GenN 302 in GG 43372 of 29 May 2020 amended

NOTICES

Disaster Management Act 57 of 2002 – GN 646 in GG 43408 of 5 June 2020 - Extension of National State of Disaster under Coronavirus COVID-19 lockdown

Disaster Management Act 57 of 2002 – GN 642 in GG 43390 of 3 June 2020 - Extension of National State of Disaster (Drought) under Coronavirus COVID-19 lockdown

National Environmental Management: Biodiversity Act 10 of 2004 – GN in [GG](#) 43386 of 3 June 2020 - Notice Prohibiting the Carrying Out of Certain Restricted Activities Involving Rhinoceros Horn

National Environmental Management: Biodiversity Act 10 of 2004 – GN 626 in [GG](#) 43386 of 3 June 2020 - Trade in Rhinoceros Horn: Regulations

National Environmental Management: Biodiversity Act 10 of 2004 – GN 627 in [GG](#) 43386 of 3 June 2020 - Alien and Invasive Species List and List of Critically Endangered, Endangered, Vulnerable and Protected Species: Amendment

Astronomy Geographic Advantage Act 21 of 2007 – GN 629 in GG 43387 of 3 June 2020 - Notice of extension of period for compliance with regulations for protection of Karoo Central Astronomy Advantage Areas

Petroleum Products Act 120 of 1977 - GN R 622 in GG: 43382 of 2 June 2020 - Regulations: Amendment

Petroleum Products Act 120 of 1977 –GN R621 in GG 43382 of 2 June 2020 - Maximum retail price for liquefied petroleum gas

Petroleum Products Act 120 of 1977 –GN R620 in GG 43382 of 2 June 2020 - Regulations: Single maximum national retail price for illuminating paraffin

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20195 in PG 8245 of 5 June 2020 - Beaufort West Local Municipality - Municipal Standard Zoning Scheme By-law

Eastern Cape

Eastern Cape Consumer Protection Act 3 of 2018 - PN 77 in PG 4411 of 1 June 2020 – commenced 1 June 2020

Limpopo

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 43 in PG 3081 of 5 June 2020 - Thulamela Local Municipality - Draft Land Use Management Scheme – for comment

Kwazulu-Natal

National Environmental Management: Integrated Coastal Management Act 24 of 2008 - PN 48 in PG 2186 of 4 June 2020 - KwaZulu-Natal Coastal Management Programme

North West

Spatial Planning and Land Use Management Act 16 of 2013 - PN 78 in PG 8117 of 2 June 2020 - Dr Ruth Segomotsi Mompati District Municipality - Spatial Development Framework (2020)

CASES

National

Friends of the Seven Dams Conservancy v The HOD: Department of Economic Small Business Development, Tourism and Environment and Economic Affairs and Others (2631/2019) [2020] [ZAFSHC](#) 99 (1 June 2020)

Environmental authorisation – development of portion of farm as residential accommodation – appeal – revised environmental authorisation – review of administrative acts

International

[*Northern Plains Resource Council v. U.S. Army Corps of Engineers*](#), Nos. 20-35412 et al. (9th Cir. May 28, 2020)

The Ninth Circuit Court of Appeals denied emergency motions for partial stay pending appeal of the District of Montana's orders vacating Nationwide Permit (NWP) 12 as it applies to Keystone XL Pipeline and other oil and natural gas pipelines. The Ninth Circuit found that the appellants—the Corps, the pipeline developers, and trade groups—had not demonstrated a sufficient likelihood of success on the merits and probability of irreparable harm. In April, the district court ruled that the U.S. Army Corps of Engineers violated the Endangered Species Act when it issued NWP 12; the court enjoined authorization of any dredge and fill activities under NWP 12, which applies to utility projects. On May 11, 2020, the district court modified its injunction to apply only to new oil and gas pipeline construction, which the court said was the type of project likely to pose the greatest threat to listed species. The May 11 order also denied motions for partial stay pending appeal. [June 2020 Sabin Center for Climate Change Law Update]

[*Center for Biological Diversity v. U.S. Bureau of Reclamation*](#), No. 1:20-cv-00706 (E.D. Cal., filed May 20, 2020)

Center for Biological Diversity and two other organizations filed a lawsuit in the federal district court for the Eastern District of California asserting that the conversion of Central Valley Project “renewal contracts” into “permanent

repayment contracts” was a major federal action that required compliance with NEPA. The plaintiffs alleged that completed and pending conversions would obligate the U.S. Bureau of Reclamation to deliver more than two million acre-feet of water each year by diverting water from rivers and the Sacramento-San Joaquin Delta, resulting in many significant adverse impacts on the watershed. The plaintiffs said a NEPA alternatives analysis “would allow meaningful consideration of the trade-offs between water deliveries and environmental harm as well as opportunities to reduce deliveries over time,” including, for example, “to limit the term of the contract so as reduce quantities over time to reflect worsening conditions caused by climate change.”

[WildEarth Guardians v. Mountain Coal Co.](#), No. 1:20-cv-01342 (D. Colo., filed May 12, 2020)

Four environmental groups filed a Clean Air Act citizen suit against the operators of the West Elk coal mine in Colorado for failing to obtain air permits. The plaintiffs identified the citizen suit as related to a [case](#) filed in 2019 in which the plaintiffs successfully challenged an Office of Surface Mining Reclamation and Enforcement (OSM) approval for expansion of the mine. The plaintiffs noted that the court had remanded the earlier case to OSM for consideration of a flaring option for controlling the mine’s emissions of methane and other volatile organic compounds (VOCs) and to assess how the mine’s methane emissions contribute to climate change. The plaintiffs said the new case involved the permitting of VOC and methane emissions.

[AquAlliance v. U.S. Bureau of Reclamation](#), No. 2:20-cv-00959 (E.D. Cal., filed May 11, 2020)

California water resource management and conservation organizations filed a lawsuit challenging the environmental review and approval of a 2019-2024 water transfer program for the sale of water by sellers upstream of the Sacramento-San Joaquin Delta to buyers south of the Delta. The plaintiffs alleged the project would likely have “devastating impacts to the Delta,” reducing freshwater flows and worsening existing problems of inadequate water supplies, instream flow deficits, water quality impairments, and degraded aquatic habitats. The plaintiffs alleged that an EIS prepared after the court previously [vacated](#) a similar water transfer program was still deficient. Among the alleged deficiencies in the new EIS was a failure to include sufficient information about climate change. The complaint alleged that the project would exacerbate climate change’s impacts on groundwater resources. The plaintiffs asserted claims under NEPA, the California Environmental Quality Act, and the public trust doctrine.

[Sacchi, et al. v. Argentina, et al.](#) (UN Committee on the Rights of the Child)

On September 23, 2019, 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. Petitioners claim that climate change has led to violations of their rights under the Convention, including the rights to life, health, and the prioritization of the child's best interest, as well as the cultural rights of petitioners from indigenous communities. The children request that the Committee make findings including that climate change is a children's rights crisis, and that each respondent has caused and is perpetuating climate change by knowingly acting in disregard of available scientific evidence. They also ask the Committee to recommend that the respondents review, and where necessary, amend their laws and policies to ensure that mitigation and adaptation efforts are accelerated; initiate cooperative international action to establish binding and enforceable climate measures; and ensure children's right to be heard in all efforts to mitigate or adapt to the climate crisis. The Committee must determine if the petition is actionable before making findings or recommendations.

Brazil, France and Germany responded to the petition, arguing that it was not admissible on three grounds: 1) the Committee lacks jurisdiction; 2) the petition is manifestly ill-founded or unsubstantiated; and 3) petitioners have not exhausted domestic remedies. On May 4, 2020, the petitioners filed a reply asserting that the petition is admissible. They argue: 1) that the Committee has jurisdiction because the children are "directly and foreseeably injured by greenhouse gas emissions originating in Respondents' territory;" 2) the claims are manifestly well-founded because the children are suffering direct and personal harms now and will continue to in the foreseeable future; and 3) that pursuing domestic remedies would be futile.

[Youth Verdict v. Waratah Coal](#) (Queensland Land Court)

On May 13, 2020, the environmental group Youth Verdict lodged an objection to the proposed Galilee Coal Project in the Queensland Land Court. According to news reports, the plaintiffs allege that by contributing to climate change the mine will infringe on their right to life, the protection of children, and the right to culture as protected by the Queensland Human Rights Act. The Galilee Coal Project has received federal and state approval but needs to be assessed by the Queensland Land Court before the final state environmental authority can be issued.

PUBLICATIONS

National

Rantlo J and Viljoen G "A critical appraisal of *Uzani Environmental Advocacy CC v BP Southern Africa (Pty) Ltd* 2019 (5) SA 275 (GP)" 2020 [Impact Assessment and Project Appraisal](#) <https://doi.org/10.1080/14615517.2020.1776555>

Centre for Environmental Rights "Financing Fairly: An Assessment of the Investment Policies of Development Finance Institutions in SA" ([Report](#) May 2020)

Du Toit P (eds) *South Africa Beyond Covid-19: Trends, change and recovery* Kindle Edition ([Johathan Ball](#) 2020)

International

Schoto C “Modernizing Brazil’s Energy Industry” ([Florence School of Regulation](#) 28 May 2020)

Leal-Arcas R *The Great Energy Transition in the European Union* Volume 1 ([Eliva Press](#) 2020)

Leal-Arcas R *The Great Energy Transition in the European Union* Volume 2 ([Eliva Press](#) 2020)

Raimi KT *et al* “Framing of Geoengineering Affects Support for Climate Change Mitigation” 2019 13(3) [Environmental Communication](#)

Abatayo AL *et al* “Solar geoengineering may lead to excessive cooling and high strategic uncertainty” 2020 [PNAS](#) <https://doi.org/10.1073/pnas.1916637117>

Ceballos G, Ehrlich PR and Raven PH “Vertebrates on the brink as indicators of biological annihilation and the sixth mass extinction” 2020 [PNAS](#) <https://doi.org/10.1073/pnas.1922686117>

International Renewable Energy Agency (IRENA) “Renewable Power Generation Costs in 2019” ([Report](#) June 2020)

2020 23(2) *Asia Pacific Journal of Environmental Law (APJEL)* now [available](#)

Schöniger F *et al* “Deliverable 7.4: Pivotal decisions and key factors for robust CSP strategies” (MUSTEC [Report](#) May 2020)

Croome J *et al* “Policy Brief: A New Canadian Climate Accountability Act: Building the legal foundation to achieve net-zero emissions by 2050” ([Eco Justice](#) May 2020)

Leyk S *et al* “Two centuries of settlement and urban development in the United States” 2020 6(33) [Science Advances](#) DOI: 10.1126/sciadv.aba2937

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[DEFF](#) “Mr Shonisani Munzhedzi delivers South Africa’s message of support for UNEP World Environment Day 2020” 5 June 2020

[DEFF](#): “Directions guiding the biodiversity, forestry, waste management and fisheries sectors and permitting under lock-down level three” 3 June 2020

- **Climate change and energy**

[Daily Maverick](#): Yelland C “Minister Barbara Creecy on key air pollution and climate change issues facing South Africa” 1 June 2020 [provided by Andrew Gilder Climate Legal]

[IOL](#): Ruppel OC “World Environment Day 2020: The phenomenon of ‘crisis’ and the nexus between Covid-19 and climate” 5 June 2020

[GroundWork](#): “NGOs reject proposed new gas law, demanding instead a just and equitable transition to clean energy sources” 29 May 2020 [Legalbrief Environmental 2 June 2020]

[Mail&Guardian](#): Climate Justice Coalition “It’s time for a Green New Eskom” 4 June 2020

[BizNews](#): Karombo S “Why Eskom may miss 2022 unbundling target, the R5bn question and coal price talks” 4 June 2020

[Engineering News](#): “Green energy’s role in the post-Covid-19 global economic recovery” 5 June 2020

[Engineering News](#): “Accelerated renewables roll-out ‘one of the few substantial recovery opportunities’ open to South Africa” 4 June 2020

- **Mining**

[Lexology](#): ENS “South Africa: COVID-19 - A new chapter in state sovereignty over natural resources?” 18 May 2020

[Daily Maverick](#): Mahapa R “Coal mine’s bid for KZN land puts compensation criteria to test” 26 May 2020

[Mining Weekly](#): Bulbulia T “Glencore offers assistance to #Khomani San Community” 5 June 2020

- **Water, waste, oceans and chemicals**

[Engineering News](#): Burger S “E-waste recycling key to managing and unlocking value” 5 June 2020

- **Miscellaneous**

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Webber Wentzel [Podcast](#): Hero W, Blom K, Milo D, Rew K, Theodosiou C, Daya P and Swaine L “Podcast: The effect of Covid-19 on Cybersecurity and Cyber Breaches”

[The Conversation](#): Wichmann J “Air pollution and temperature: bad for your heart and blood vessels” 4 June 2020

Africa

- **Biodiversity, protected areas and culture**

[Natural Justice](#): Chepkorir M “The Ogiek still hoping for implementation of African Court ruling three years later” 29 May 2020

Thomas Reuters [Foundation](#): Bhalla N “Hope ‘shattered’ for Kenya’s forest people three years after landmark ruling” 26 May 2020

[IOL](#): Meseret E and Eykelho L “Ethiopia to plant 5 billion trees by end of July despite Covid-19 pandemic” 5 June 2020

[The Conversation](#): Le Roux A and Van Vuuren B “What zoologists should learn from a zoonotic pandemic” 4 June 2020

[The Conversation](#): Brackowski AR *et al* “Back from extinction: a world first effort to return threatened pangolins to the wild” 4 June 2020

- **Climate change and energy**

[IOL](#): Ayuk NJ “The impact of Covid-19 on the African energy sector” 4 June 2020

[IOL](#): West G “\$15bn raised for Moz LNG project 'remarkable'” 29 May 2020

[The Conversation](#): Steri S and Brecha R “How West Africa can expand power supply and meet climate goals” 5 June 2020

[The Conversation](#): Varvastian S “Can UK fossil fuel companies now be held accountable for contributing to climate change overseas?” 28 May 2020

- **Environmental enforcement**

[Lexology](#): ENS “Mauritius: You’ve got time - Grace period introduced for compliance and expired EIA licences” 18 May 2020

- **Local government**

ICLEI [CityTalk](#): Spires M “Urban resilience is fostered where nature, climate and health meet” June 2020

[The Conversation](#): Singh A, Pope F and Avis WR “Visibility study of Nairobi, Kampala and Addis Ababa reveals big air pollution problems” 4 June 2020

[The Conversation](#): Babalola F “What to consider before mass planting of trees in Nigeria’s Lagos State” 2 June 2020

[The New Times](#): Nkurunziza M “Government to ban charcoal use in Kigali” 28 May 2020

- **Water, waste, oceans and chemicals**

[allAfrica](#): “Uganda: Five Kenyans Take Kampala to Court Over 'Excess Water' On Lake Victoria” 31 May 2020

- **Miscellaneous**

[Lexology](#): ENS “COVID-19 in Uganda: never let a good crisis go to waste” 12 May 2020

International

- **Biodiversity, national parks and culture**

[Youtube](#): “BBC sports commentator narrates Australia's penguin parade in lockdown voiceover” 11 May 2020

[EU IMPEL](#): “European Commission: Biodiversity Strategy to bring back nature into our lives” 21 May 2020

[Lexology](#): “Service Seeking Comments on Fisher Conservation Agreement” [USA] 1 June 2020

[Lexology](#): “Update: Ninth Circuit Denies Emergency Stay in NWP 12 Litigation” [USA] 29 May 2020

Thomas Reuters [Foundation](#): Turnbull T “Destruction of ancient Aboriginal site sparks calls for reform in Australia” 29 May 2020

[National Geographic](#): Vernimmen T “Massive 3,000-year-old ceremonial complex discovered in 'plain sight'” 3 June 2020

[Science](#): Morell V “Urban foxes may be self-domesticating in our midst” 2 June 2020

[IISD](#) ENB: “Global Landscapes Forum (GLF) Bonn Digital Conference 2020” Soils as Keystone for Food Security and Ecosystem Restoration – 3 June 2020

[BBC](#): Briggs H “Extinction crisis 'poses existential threat to civilisation'” 2 June 2020

[BBC](#): Briggs H “Conservation: Glimmer of hope for world's rarest primate” 1 June 2020

- **Climate change and energy**

[Lexology](#): “The Ninth Circuit Sends Climate Change Cases Back to State Court” 28 May 2020

[Lexology](#): “Energy Sector Update: Ireland’s Green Deal?” 27 May 2020

[The Washington Post](#): Kaplan S and Steckelberg A “Empire State of Green” 27 May 2020

[UtilityDive](#): Burdick D “As utility solar costs drop 82%, US renewable leaders target majority generation share by 2030” 3 June 2020

[European Commission](#): “Average CO₂ emissions from new cars and vans registered in Europe increased in 2018, requiring significant emission reductions to meet the 2020 targets” 3 June 2020

[HotelOwner](#): Carrara A “Yorkshire Tea becomes 100% carbon neutral” 3 June 2020

[Lexology](#): “The Spanish Government approves a Bill on Climate Change and the Energy Transition: analysis of the main aspects” 3 June 2020

[IISD](#) SDG Knowledge Hub: Leone F “UN Synergies Webinar Explores Climate-Health-Growth Nexus” 4 June 2020

[Lexology](#): “California Dreaming? Offshore Wind on the West Coast” 3 June 2020

[Lexology](#): “Consent granted for the UK's biggest solar farm” 29 May 2020

[Lexology](#): “Dealing with Scope 3 emissions one year on from the Rocky Hill decision” [Australia] 3 June 2020

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Climate Law [Blog](#): Webb R and Aidun H “DOE proposal to categorically exclude natural gas exports is fatally flawed” 1 June 2020

[IISD](#) ENB: “June Momentum for Climate Change” 1-10 June 2020 | Online

[Lexology](#): “In Yet Another Milestone, Icebreaker Wind Receives Key Construction Approval, but with a Potentially Untenable Condition” 29 May 2020

[Lexology](#): “Ninth Circuit Holds that Federal Courts May Not Consider Climate Change Lawsuits” 29 May 2020

[Lexology](#): “Switzerland to extend certain climate protection measures until 2021” 1 June 2020

[Phys.org](#): “The human factor limits hope of climate fixes” 1 June 2020

- **Environmental enforcement**

[Lexology](#): “A Rule on Guidance: EPA to Propose Rule Establishing Procedures and Requirements for Issuing and Managing Guidance Documents” [USA] 27 May 2020

[Lexology](#): “DOJ Policy Invalidates Special Environmental Projects in Settlements but Private Parties May Have Other Options”[USA] 28 May 2020

[Lexology](#): “Environmental Due Diligence in the Wake of Atlantic Richfield” [USA] 27 May 2020

[Lexology](#): “Privacy Omgevingsloket - Maximale openbaarheid van bestuur” [Belgium] 29 May 2020

[Lexology](#): “AIE Update - Broadening the Scope of ‘Environmental Information’” [Ireland] 28 May 2020

[Lexology](#): “Environmental Regulatory Compliance Update During COVID-19” [Canada] 29 May 2020

[US Executive Orders](#): “EO on Accelerating the Nation’s Economic Recovery from the COVID-19 Emergency by Expediting Infrastructure Investments and Other Activities” 4 June 2020

- **Local government**

[Lexology](#): “Important Considerations to Avoid Planning and Environmental Review Challenges to Co-Living Developments” [USA] 27 May 2020

[UN Habitat](#): UrbanLex [Source: CLES in Press Newsletter Issue 4 - June 2020]

ICLEI [CityTalk](#): Arian Y “Accelerating the Race to Zero carbon: Multiple paths leading to the same destination” 5 June 2020

ICLEI [CityTalk](#): De Oliveira Perpetuo R “This World Environment Day, Amazonian cities remind us why preserving biodiversity is essential” 4 June 2020

ICLEI [CityTalk](#): Arikan Y “Local Governments Seek Participation in Nationally Determined Contributions” 4 June 2020

[Lexology](#): “Impacts of Works Related to Development and Deferred Commencement Conditions” [Australia] 28 May 2020

- **Mining**

[Lexology](#): “The National Resources Statement” [Australia] 28 May 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “The Supreme Court Sets New Standard For Clean Water Act Permits” [USA] 2 June 2020

[Lexology](#): “EPA Issues Draft Temperature TMDL for Columbia and Snake Rivers” 1 June 2020

[IISD](#) SDG Knowledge Hub: Grund E “On World Oceans Day, SDGs Remind Us of Ocean’s Role in Our Planetary Ecosystem” 4 June 2020

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[Lexology](#): “Trends Emerge in States’ Approaches to PFAS Emerging Contaminants” 3 June 2020

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[IISD](#) SDG Knowledge Hub: Wagner L “Leaders Stress Linkages Among Water, Sanitation, and Climate to Build Back Better” 2 June 2020

- **Miscellaneous**

[Yale University](#): Environmental Performance Index 2020

[IISD](#) SDG Knowledge Hub: Leone F “Zero Draft of HLPF Declaration Calls for Sustainable, Inclusive Growth” 2 June 2020

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[Lexology](#): “ECB Issues Guide for Banks on Climate-Related and Environmental Risk Management” [EU] 21 May 2020

[Lexology](#): “Judicial Council Ends Tolling of Statute of Limitations to Bring Civil Suits, Effective Aug. 3” 1 June 2020

[Lexology](#): “Seven Things to Keep in Mind about Treatment of Environmental Liabilities in Bankruptcy” 20 May 2020

[IISD](#) ENB: “58th Meeting of the Global Environment Facility (GEF) Council” 2-3 June 2020 – find summary [here](#)

[IISD](#) SDG Knowledge Hub: Leone F “Finland’s Second VNR Presents Civil Society Assessments of Progress” 4 June 2020

[Lexology](#): “Even in a pandemic, maintaining a focus on ESG compliance is critical”
4 June 2020

[Nature](#): Vince G “Artists explore new ways of knowing in a time of information overload” 1 June 2020

[Science](#): Pennisi E “Watch how social inequality impacts everything from health to longevity” 5 June 2020

[The Independent](#): Griffin A “20 pledges for 2020: When it comes to home renovations, why do we have to choose between costing the Earth and costing a lot of money?” 3 June 2020

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5 June 2020

[The Independent](#): Boyle L “Cleanest air on earth discovered in groundbreaking study” 5 June 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 31 July 2020

More information will follow

The call for papers emailed separately.

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: 31 July 2020

Place: Virtual

The call for papers emailed separately.

ELA Streaming Club Session 2: Rotten (Episode 1, Season 1) Episode 1, Season 1, Lawyers, Guns and Honey

Date: Tuesday, 30 June 2020

Time: 19:00 SA time

After the success of our first ELA Streaming Club get together, the ELA Streaming Club is excited to host their second event on Tuesday, 30 June 2020 at 19h00 (CAT). Stream in your home, via Netflix, episode 1, titled ‘Lawyers, Guns and Honey’ (54 mins) of season 1 of *Rotten*, a docuseries that ‘travels deep into the heart of the food supply chain to reveal unsavoury truths and expose hidden forces that shape what we eat’. A Zoom discussion will follow directly after the episode from 19h55. Contact us via FB messenger for the Zoom meeting details. (Melanie Murcott’s meeting ID so she can record and share.)

One reviewer of *Rotten* states: ‘It’s not as much an assault on our diets as much as an eye-opening examination into the business of food production and the

corporate and criminal malfeasance that is a part of the multibillion-dollar food industry' –Tom Roston, *Salon*

For anyone wanting to give input on the streaming club narrative/experts/feedback, find the Google drive [link](#).

ELA Streaming Club during lockdown and possibly even beyond

Date and time, Last Tuesday of the month, 19:00-21:00 (CAT)

During lockdown ELA members and friends are invited to engage in discussion and thought on pressing environmental issues through the joy of film and documentaries.

How it works:

Each month, a film or documentary will be selected by the ELA for streaming in the comfort of your home on the last Tuesday of the month at 19:00 followed by a Zoom discussion directly after the film or documentary.

During the streaming, members and friends of the ELA are invited to comment on our Facebook event for live discussion about the film.

After the streaming, members and friends of the ELA are invited to participate in a Zoom discussion about the film, chaired by an ELA executive member, which will include guests with specialised knowledge related to the film or documentary. For further details, check out our events on our Facebook page.

IISD and Global Subsidies Webinar: South Africa's Electricity Sector Reform: Experience from Emerging Economies

Date: 10 Jun 2020

Time: 14:00

More [information](#) and registration

Sanas World Accreditation Day Dialogue: Free webinar on the role of accreditation in improving food safety

Date: 9 June 2020

Time: 09:00

More [information](#) and [registration](#)

Imbewu Online Training: Renewable Energy Workshop

SACNASP Accreditation (0.6 CPD Points)

Date:

Course [Programme](#)

Registration for this online workshop contact [Lulu Lewis](#) / 082 8585 217 / 011 214 0660

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

International

IAIA: WEBINAR: Effective Project Level Grievance Mechanisms in a Changing Landscape: An Interactive Tool

Date: Thursday 11 June 2020

Time: 11:30am CST USA

[Registration](#)

UN Ocean Day Week and American Society of International Law session on climate change litigation

Date: 9 June 2020

Time: 19:00 UK Time

More [information](#)

Next week is the UN Ocean Day week and as part of the One Ocean an exciting series of events that focus on law of the sea and marine governance – find information [here](#).

Agora webinar: Germany's long goodbye from coal

Date: Tuesday, 9 June, 11:00am (CEST)

The [webinar](#) is free of charge, will be held in English, is scheduled for 1,5 hours and includes a Q&A session.

Natural Justice and Earthrise Dream Online Concert: Rise for Earthrise

Date: 13 June 2020

Time: 1pm SAST

Find our event on [Facebook](#) and on all our social media channels. #RiseforEarthrise #StandWithCommunities #EnvironmentalJustice

Linklaters Webinar: Competition law and COVID-19: the future of sustainability, innovation and green measures?

Date: 16 June 2020

Time: 13:00 - 13:55 UTC

More [information](#) and registration

International Renewable Energy Agency (IRENA) webinar: Renewable Power Generation Costs in 2019: Latest Trends and Drivers

Date: Tuesday, 09 June 2020 at 15:00 CET

To register: [Click here](#)

21st Global Virtual Conference on Environmental Taxation (GCET21): Environmental Taxation in an Era of COVID-19 – Call for abstracts

Date: 24-25 September 2020

Abstract deadline: 15 June 2020

For more details about the Call for Abstracts, [click here](#). Papers presented at GCET21 may be submitted for possible publication in Volume XXIII of [Critical Issues in Environmental Taxation](#).

The standard registration fee will be US\$125 and a registration page will be posted soon. Registration will include an e-book edition of [Market Instruments for a Low-Carbon Future](#), Volume XXII of Critical Issues in Environmental Taxation.

Clean Energy Solutions Webinar: How Can US Water Efficiency Standards Inform Worldwide CO₂ Reduction?

Date: 9 June 2020

Time: 4:00 p.m. Brussels (CEST) | 3:00 p.m.

[Register](#)

Get more information [here](#).

NEWS

National

- **Biodiversity, protected areas and culture**

“World Environment Day 2020: South Africa dehornes dozens of rhinos to prevent lockdown poaching surge” [HindustanNews](#) 5 June 2020

“Rhino poaching drops significantly during COVID-19 lockdown” [DEFF](#) 22 May 2020 [Legalbrief Environmental 2 June 2020]

Carrington D “Sixth mass extinction of wildlife accelerating, scientists warn” [The Guardian](#) 1 June 2020

Caboz J “20 African natural wonders could get World Heritage site status - including Succulent Karoo desert in SA” [News24](#) 29 May 2020

- **Climate change and energy**

“The Life After Coal Campaign’s 3 important submissions on government’s latest proposed electricity regulations and plans” [Centre for Environmental Rights](#) 5 June 2020

“SA’s developmental finance bodies fall short on transparency” [Centre for Environmental Rights](#) 1 June 2020

Damba-Hendrik N “East London community warned to remove illegal connections by Monday” [GroundUp](#) 5 June 2020

“Draft regulations on power capacity falls short of needs, says PV industry” [IOL](#) 31 May 2020

Energy: Gas conversion deal with Russia in the making

“SA and Russia are again considering an energy partnership – this time non-nuclear – according to Mineral Resources & Energy Minister Gwede Mantashe in a Sunday Times report. It says SA has entered into discussions with Russian gas utility Gazprom to build a multibillion-rand plant to convert natural gas into electricity, in apparent violation of tender laws. Officials from the Department of Mineral Resources & Energy (DME) and the Central Energy Fund (CEF) met a delegation from the Russian company to discuss the proposed development. Two senior executives said the delegation from Gazprombank, a subsidiary of state-owned Russian gas giant Gazprom, was accompanied by arms deal fixer Fana Hlongwane. They said the meeting was facilitated by Mantashe, but he reportedly denies this. Plans to build a liquefied natural gas plant at the Coega Industrial Development Zone in Nelson Mandela Bay have been announced, but the Public Finance Management Act does not allow government departments to give preferential treatment to potential bidders, notes the report. However, though the project is still undergoing feasibility studies and the government has yet to put out a call to potential bidders, a memorandum of co-operation has already been signed between PetroSA and Gazprombank to ‘co-operate with each other and jointly evaluate the development, construction and operation of the ... project and ... explore other opportunities for mutual co-operation as the relationship progresses’. Mantashe reportedly said the discussion were nothing more than ‘meetings with potential investors who have money’. However, Mantashe also told the Sunday Times that if it was up to him, ‘Gazprom would have been working at Coega by now. There is nothing suspicious with the Russians, they have money and they want business.’ Two state energy company executives reportedly said Gazprombank’s delegation made an unsolicited bid to finance and build the plant, but Mantashe denied this.

Full Sunday Times report (subscription needed) Legalbrief 1 June 2020

- **Local government**

Jordaan N “Makana municipality ordered to address sanitation problems in Makhanda after sewage spills” [Sowetan Live](#) 3 June 2020 [Legalbrief 4 June 2020]

Development: Cape Town consults around C40 carbon-neutral projects

“The City of Cape Town has provided more information as to the approval for the use of four under-utilised sites for carbon-neutral, mixed-use development for the C40 global architecture and urban design competition. A Cape Argus report quotes Gideon Brand, manager of partnerships at the City’s Department of Urban Catalytic Investment, who said: ‘We are serious about resilience, and we believe this is an important component to be sustainable. We are committed to getting to a carbon-neutral stage by 2050 and there is a lot of work that needs to be done.’ The proposed sites are the Athlone station car park, Kapteinsklip station precinct

in Mitchells Plain, Mouquet Farm in Diep River, and the Tygerdal site in Goodwood. The City previously identified a vacant area in Ottery, the Bishop Lavis Town Centre, and a parking lot in Woodstock. The C40 competition entails sacrificing areas of prime property for carbon-neutral development projects. Further consultation has begun with interested parties for innovative proposals for the sites, and its scheduled to conclude on 12 June.”

Full Cape Argus report (subscription needed) Legalbrief Environmental 2 June 2020

Development: PHA campaigners accuse City of 'forgery'

“Campaigners who have been fighting to preserve the Philippi Horticultural Area (PHA), Cape Town’s bread basket, have accused the City of ‘giant forgery’. According to a Cape Argus report, it comes after the City council approved a report into the Philippi Horticultural Area that they say could provide leeway for development on the land. PHA Food and Farming campaign chair Nazeer Sondag said: ‘The motion that they put forward was supposed to be the Indigo Study that the province did in 2018, but we heard that it is the City’s version of the study. It omits the fact the land we challenge be reintegrated into farming land.’ He said it made the land available for development outside the PHA. The PHA campaign argued last year in the Western Cape High Court for the preservation of a key piece of agricultural land. The case challenged administrative decisions to rezone a part of the PHA for mixed-use development. In February the court ruled against the provincial government, the City and developer Oaklands City to build more than 30 000 homes in the area. ‘What was supposed to happen was that they were supposed to reintegrate the Oaklands City land back to the PHA. If you aren’t reintegrated it creates leeway for developments to continue,’ he said. However, Mayco member for spatial planning and environment Marian Nieuwoudt said: ‘The judgment confirmed that the U-Vest land could remain as horticulture land, but that the Oakland City land remains potentially developable, based on an original approval by Western Cape Government subject to the possibility that groundwater investigation proves this is acceptable and appropriate.’”

Full Cape Argus report (subscription needed) Legalbrief Environmental 2 June 2020

- **Mining**

Thompson W “PIC-backed firm ‘leaves community in crisis’” [BusinessDay](#) 5 June 2020 [Legalbrief 5 June 2020]

Motha S “Opposition to mining may have led to ANC councillor’s murder” [Daily Maverick](#) 26 May 2020 [Legalbrief Environmental 2 June 2020]

Kockott F and Hattingh M “Mounting pressure on families holding out against coal mine expansion ‘We know that if we are not here, our house will be burnt down’” [GroundUp](#) 3 June 2020

Secombe A “The timing of the IDC’s squeeze on Kalagadi is a puzzle” [BusinessLive](#) 3 June 2020

“Watch: How healthy is SA’s mining sector?” [BusinessLive](#) 5 June 2020

- **Water, oceans, waste and chemicals**

Mdluli A “Criminal charges laid against Amatola Water Board CEO over inflated tenders” [IOL](#) 2 June 2020 [Legalbrief Forensic 4 June 2020]

Felix J “Drought-stricken Northern Cape needs billions for water infrastructure” [News24](#) 6 June 2020

Caboz J “Woolworths is using more than 1 million plastic bottles to make its puffer jackets” [Business Insider](#) 3 June 2020

Ensor L “Scopa wants full parliamentary inquiry into water department” [BusinessLive](#) 5 June 2020

Jordaan N “Academic warns of groundwater pollution from cemeteries when Covid-19 deaths surge” [TimesLive](#) 4 June 2020

Water: Coega pushes ahead with desalination plant

“The Coega Development Corporation (CDC) has confirmed that it is pushing ahead with plans to build a desalination plant in the Coega Special Economic Zone. According to a report in The Herald, CDC spokesperson Simlindele Manqina said last week the corporation was undertaking the project in co-operation with the metro. ‘We are finalising our partnership with the Nelson Mandela Bay municipality. The desalination plant should be operational in about 12 months,’ he said. According to the authorisation permit for the desalination plant, issued in February, it would form part of a landbased aquaculture development zone. Nelson Mandela Bay acting municipal manager Noxolo Nqwazi said Coega had secured money from the national government for various projects, which included the desalination plant. A reliable source close to the project said one of the aims was that pre-desalination the extracted seawater would be used by the marine fish farm and, once desalinated, the surplus brine could be sold on to Cerebos — the Coega-based salt manufacturing company. He said though the project would benefit Coega it would not likely meet the need of the metro’s pressing water shortage on its western side. ‘To get the water from this new plant across to the western suburbs will require a bulk water line, which will be very expensive to install,’ he warned.” Full report in The Herald (subscription needed) Legalbrief Environmental 2 June 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Nuwer R “Mass Extinctions Are Accelerating, Scientists Report” [The New York Times](#) 1 June 2020

Fox A “Remains of 60 Mammoths Discovered in Mexico” [Smithsonian Magazine](#) 29 May 2020

Rizvi A “Federal judge grants zoo featured in Netflix ‘Tiger King’ documentary to Carole Baskin” [The Jurist](#) 3 June 2020

Repanshek K “Update | Trump’s Move On Northeast Canyons And Seamounts National Monument Draws Criticism” [National Parks Traveller](#) 5 June 2020

“Earthjustice responds to Trump’s rollback of Northeast Canyons and Seamount National Marine Monument” [Earth Justice](#) 5 June 2020

Andrews C “Trump signs order opening Atlantic monument to fishing, but he may not have the authority” [BDN](#) 5 June 2020

“UK launches support package to protect tropical rainforests in Colombia” [gov.uk](#) 5 June 2020

Dalton J “Stop the Wildlife Trade: Appeal to Boris Johnson to lead G20 drive for worldwide ban” [The Independent](#) 4 June 2020

Boyle L “Greta Thunberg calls Bolsonaro a 'failure' on coronavirus as NGOs sue his administration over Amazon destruction” [The Independent](#) 5 June 2020

Ng K “Endangered seahorse returns home amid lockdown to enjoy 'lack of boats and people'” [The Independent](#) 3 June 2020

Ellis-Peterson H “Killing of elephant with explosive-laden fruit causes outrage in India” [The Guardian](#) 5 June 2020

Cecco L “Many of the 300 plants and animals endemic to Canada at risk, report find” [The Guardian](#) 4 June 2020

Gray R “The hunt for the fish pirates who exploit the sea” [BBC](#) 5 June 2020

Gill V “Coronavirus: This is not the last pandemic” [BBC](#) 6 June 2020

“Colombia arrests 50 for plant and animal trafficking” [Reuters](#) 6 June 2020

- **Climate change and energy**

Boyle L “Climate activists voice support for George Floyd protesters and confront green movement's issues with race” [The Independent](#) 2 June 2020

Keating C “Starting gun fired for UN-backed 'Race to Zero' campaign” [BusinessGreen](#) 5 June 2020

“EPA Issues Proposed Anti-Backsliding Determination for Renewable Fuels” [Lexology](#) 3 June 2020

“IRS Announces Proposed Regulations Under Section 45Q for Carbon Capture Credit” [USA] [Lexology](#) 2 June 2020

“Bipartisan US lawmakers introduce carbon offsets bill for farms and forests” [Carbon Pulse](#) 4 June 2020

Ambrose J “Coronavirus crisis could cause \$25tn fossil fuel industry collapse” [The Guardian](#) 4 June 2020

“Hungary sets 2050 climate neutrality goal in law, issues green bond” [Climate Home News](#) 4 June 2020

Friedman G “New CO₂ pipeline capable of capturing 20% of oilsands emissions could hold key to Alberta’s energy future” [Financial Times](#) 4 June 2020

“China set provincial renewable targets as REC scheme nears launch” [Carbon Pulse](#) 1 June 2020

Lombrana LM and Martin E “IMF Warns Investors: You're Not Ready for Climate Change” [Bloomberg](#) 29 May 2020

Farand C “Japan to launch ‘green recovery’ platform and ministerial meeting” [Climate Home News](#) 1 June 2020

Volcovici V “U.S. EPA moves to curb state powers to deny permits for energy projects” [Reuters](#) 1 June 2020

“EU national energy plans “not enough” to deliver climate goals –NGOs” [Carbon Pulse](#) 2 June 2020

“China says sticking to climate pledges despite coronavirus outbreak” [Reuters](#) 2 June 2020

“US readies repeal of methane rules for oil sector” [Argus](#) 1 June 2020

Monti A “Federal appeals court allows Volkswagen diesel emissions liability claim to proceed” [The Jurist](#) 3 June 2020

“World has hottest May on record” [BusinessLive](#) 5 June 2020

Harvey F “Covid-19 relief for fossil fuel industries risks green recovery plans” [The Guardian](#) 6 June 2020

Milman O “Renewables surpass coal in US energy generation for first time in 130 years” [The Guardian](#) 3 June 2020

Kearny L “Illinois rejects bid to delay decision on Dakota Access Pipeline expansion” [Reuters](#) 5 June 2020

Abnett K “Seize your chance to fight climate change, U.N. envoy Carney tells investors” [Reuters](#) 5 June 2020

“No one can self-isolate from climate change”; UK, French central banks urge action” [Reuters](#) 5 June 2020

Wehrmann B and Wettengel J “Germany gives energy transition mild boost with economic stimulus programme” [CleanEnergyWire](#) 4 June 2020

- **Environmental enforcement**

Beitsch R “Trump signs order removing environmental review of major projects” [The Hill](#) 4 June 2020

Carrington D and Kommenda N “Air pollution in China back to pre-Covid levels and Europe may follow” [The Guardian](#) 3 June 2020

- **Local government**

Volcovici V “U.S. EPA proposes changes to how clean air rules are written” [Reuters](#) 4 June 2020

- **Mining**

Adomaites N “Seadrill shares drop on writedown of \$1.2bn in value of its oil rigs” [BusinessLive](#) 2 June 2020

Leahy F “Mines are hotspots for spread of Covid-19, study finds” [The Guardian](#) 5 June 2020

Ambrose J “Coronavirus crisis could cause \$25tn fossil fuel industry collapse” [The Guardian](#) 4 June 2020

Hewson J “Banking on gas will leave us stranded” [Sydney Morning Herald](#) 5 June 2020

Toscano M and Perkins N “Electric incentives could cut need for more gas drilling, report finds” [Sydney Morning Herald](#) 2 June 2020

- **Water, waste, oceans and chemicals**

“20 000 tons of diesel spills into Siberian River, Putin declares state of emergency” [News24](#) 3 June 2020 – also read [BBC](#) report

“EPA Finalizes CWA Section 401 Water Quality Certification Regulation” [USA] [Lexology](#) 2 June 2020

“EPA Limits State and Tribal Authority Under Section 401 of the Clean Water Act” [USA] [Lexology](#) 2 June 2020

Maas C “Federal appeals court says Michigan ex-governor cannot avoid deposition in Flint water lawsuits” [The Jurist](#) 4 June 2020

Baynes C “Microfibres from clothing found in most remote part of world’s oceans” [The Independent](#) 5 June 2020

Francis G “Children ‘shame’ parents for poor recycling knowledge” [The Independent](#) 3 June 2020

Hannam P “Clouds become water entitlements in ad hoc river plan, paper finds” [Sydney Morning Herald](#) 6 June 2020

“Medical waste from coronavirus epidemic worries Spaniards” [Reuters](#) 5 June 2020

Kataria S “India’s Yamuna river regains sparkle as virus lockdown banishes waste” [Reuters](#) 5 June 2020

“Indonesian group dreams of trash barrier idea going global” [Reuters](#) 5 June 2020

- **Miscellaneous**

Holden E “US ranks 24th in the world on environmental performance” [The Guardian](#) 4 June 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

International

Seeking: Urban Law Lawyer for WIEGO Law Programme

Final date to apply: 3 July 2020 at 11:59 BST.

3 days per week – can work from anywhere

More [information](#)

UNEP: Principal Legal Officer Africa

Place: Nairobi, Kenya

Deadline: 11 June 2020

More [information](#)

Rappaport Center Senior Fellowships for 2020-2021

Duration and Location: The residency will be for three consecutive days in Spring 2021 (mid-January to mid-April) determined by mutual agreement between the Rappaport Center and the selected Senior Fellow.

Deadline: On a rolling basis until September 1, 2020.

More [information](#)

[Application](#)

12-month Postdoctoral Researcher Position to examine Household Consumption, Impacts, and Risks during the COVID-19 Pandemic

A project funded by the National Science Foundation is hiring a 12-month postdoctoral researcher, to be affiliated with the Sustainable Futures Institute at Michigan Technological University (MTU). The project is a collaboration between MTU and Rutgers University. Work can be done remotely.

The position will require skills and experience in social science survey data analysis, with additional desired experience in environmental life cycle assessment. The ideal candidate for this position has a strong quantitative social science background, experience managing complex datasets, and training in interdisciplinary environmental team science research. The ability to manage large data sets and use statistical methods to examine changes over time is essential.

The project involves examining food, energy, and water consumption data from households, particularly how the dynamics of consumption have shifted in the COVID-19 context, as well as understanding how that consumption relates to measurements of perceived risk, institutional trust, changing household dynamics, and changes in perceived wellbeing. The postdoctoral researcher will be expected to lead data analysis and will have the opportunity to produce multiple first-authored publications with the support of a collaborative team of research scientists across multiple disciplines.

We recognize that many people will not be in a position to relocate, particularly in fall 2020. The work location is flexible, although it is preferred that the candidate be willing to travel and/or temporarily relocate to Houghton, MI or New Brunswick, NJ for part of the appointment duration, as conditions allow.

Salary: \$50,000, with University benefits and travel funding support.

To apply, please submit the following applications materials: - Cover letter - CV - Research statement (1 page) - Names of three academic/professional references

Application materials and any questions about this position can be submitted via email to Professor [David Watkins](#), project PI.

Application review will begin on June 15th with an expected August start date.

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

12 June 2020

Level 3 Lockdown

Although the economy is opening up – the danger of possible infection is real. Keep safe and keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club.

POLICY

National Planning Commission - Contribution of SOEs to Vision 2030: Case studies of Eskom, Transnet and PRASA” - [Position Paper](#) June 2020) – for comment by 30 June 2020 [Legalbrief 11 June 2020]

BILLS

Judicial Matters Amendment Bill [[B13B-2019](#)] for comment to the NCOP Committee on Security & Justice [Legalbrief 11 June 2020]

Draft Public Finance Management Amendment Bill, 2020, notice of intention to introduce private member's bill and explanatory summary published for comment (GenN 318 in GG 43418 of 12 June 2020)

DIRECTIONS

Disaster Management Act 57 of 2002 – GN R667 in GG 43432 of 11 June 2020 - Directions - Amendment of Regulations and Withdrawal of Directions Relating to the COVID-19 National State of Disaster, as follows:

- Directions regarding call centres providing essential services published in GN R459 in GG 43224 of 9 April 2020 withdrawn;
- Directions Regarding the Sale of Cars and Emergency Automobile Repairs During Alert Level 4 of the COVID-19 National State of Disaster published in GN R524 in GG 43308 of 12 May 2020 withdrawn;
- Directions Regarding the Sale of Clothing, Footwear and Bedding during Alert Level 4 of the COVID-19 National State of Disaster published in GN R523 in GG 43307 of 12 May 2020 expired with effect from 31 May 2020 and are no longer of any force and effect;
- International Trade Administration Act 71 of 2002: COVID-19 Export Control Regulation published in GN R91 in GG 35007 of 10 February 2012 amended; and

- Competition Act 89 of 1998: Covid-19 Block Exemption for the Retail Property Sector, 2020 published in GN R358 in GG 43134 of 24 March 2020 amended
- Directions on Live Streaming of the Creative Sector Services in Support of COVID-19 published in GN 490 in GG 43269 of 4 May 2020 amended (p3)
- GN 671 in GG 43439 of 12 June 2020 - Directions on the Risk-Adjusted Strategy for the Communications and Digital Technologies Sector published in GN 484 in GG 43263 of 3 May 2020 amended
- GN 651 in GG 43413 of 5 June 2020 - Directions on the Zero-rating of Content and Websites for Education and Health
- GN 652 in GG 43414 of 8 June 2020 - Directions regarding the national criteria for the phased-in return to campuses of public and private higher education institutions published with effect from 1 June 2020
- GN 650 in GG 43412 of 5 June 2020 - Directions Relating to National Environmental Management Permits and Licences (Alert Level 3) published and Environmental Directions published in GN R439 in GG 43190 of 31 March 2020 repealed
- GN 647 in GG 43409 of 5 June 2020 - Directions Relating to the Biodiversity Sector (Alert Level 3)
- GN 649 in GG 43411 of 5 June 2020 - Directions Relating to the Forestry Sector (Alert Level 3)
- GN 648 in GG 43410 of 5 June 2020 - Directions Relating to the Freshwater and Marine Fishing Sectors (Alert Level 3)
- GN 669 in GG 43434 of 11 June 2020 - Extension of term of office of councils and boards of public entities and suspension of sport, arts and cultural events published in GN 461 in GG 43226 of 9 April 2020 amended
- GN 664 in GG 43420 of 10 June 2020 - Home Affairs Directions to Prevent and Combat the Spread of COVID-19 published in GN 416 in GG 43162 of 26 March 2020 amended

Chief Justice: "[Protocol](#) Re Media Access to Court Proceedings Re: Access By The Media To Physical/In Person And Virtual Court Hearings In The High Courts Of The Gauteng Division" 4 June 2020 [Legalbrief Today 12 June 2020]

NOTICES

Public Finance Management Act 1 of 1999 - GN 665 in GG 43430 of 11 June 2020 - Exemption of relevant functionaries and institutions from certain provisions of the Act and Regulations published in GN 437 in GG 43188 of 31 March 2020 amended

Agricultural Pests Act 36 of 1983 - GN R662 in GG 43419 of 12 June 2020 - Draft control measures relating to Asian citrus psyllid (*Diaphorina citri*) and citrus greening: Asian and American strains (*Candidatus Liberbacter asiaticus* and *Candidatus Liberbacter americanus*) - for comment

Local Government: Municipal Systems Act 32 of 2000 & Local Government: Municipal Finance Management Act 56 of 2003 - GN 653 in GG 43418 of 12 June 2020 - Dr Nkosazana Dlamini-Zuma Municipality: 2020/2021 Final Integrated Development Plan (IDP), Final Spatial Development Framework (SDF) and Final Budget

National Environmental Management: Air Quality Act 39 of 2004 - GNs 654 & 655 in GG 43418 of 12 June 2020 - Notice of publication for comment of draft Second Generation Air Quality Management Plan (AGMP) for the Vaal Triangle Airshed Priority Area (VTAPA)

PROVINCES

Western Cape

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013: Overstrand Local Municipality - LAN 20204 in PG 8249 of 12 June 2020 - Spatial Development Framework (SDF), 2020

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 20205 in PG 8249 of 12 June 2020 - Swellendam Local Municipality - Municipal Spatial Development Framework (MSDF)

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20218 in PG 8249 of 12 June 2020 - Oudtshoorn Local Municipality - Spatial Development Framework, 2020

Limpopo

Spatial Planning and Land Use Management Act 16 of 2013 - PN 52 in PG 3082 of 12 June 2020 - Musina Local Municipality - Appointment of Municipal Planning Tribunal Members

INTERNATIONAL

UN Declaration on the Commemoration of the Seventy-fifth Anniversary of the United Nations 5 June 2020 – find the document [here](#)

CASES

National

Minister of Environmental Affairs and Another v ArcelorMittal South Africa Limited (Case no 342/2019) [2020] [ZASCA](#) 40 (17 April 2020)

Summary: Environmental law – protection of environment – prohibition against undertaking identified activities without authorisation – nature and scope of the powers of environmental authorities – pre-existing activities prior to enactment of Environmental Conservation Act 73 of 1989 as well as National Environment Management Act 107 of 1998 (NEMA) that have not been declared as identified activities not subject to the strictures of NEMA and National Environment Management Waste Act 59 of 2008 (NEM:WA) – Basic Oxygen Furnace slag that is not unwanted or rejected or abandoned not constituting waste as defined in NEM:WA – waste management licence in terms of s 49(1)(a) of NEM:WA not required in order to deal with such slag.

PUBLICATIONS

National

Pretorius DM "Oudekraal after fifteen years: the Second Act (or, A Reassessment of the Status and Force of Defective Administrative Decisions Pending Judicial Review)" 2020 31(1) *Stellenbosch Law Review* 3-36

Donald M "Unlocking the potential of well-being in the environmental right: a teleological interpretation" 2020 31(1) *Stellenbosch Law Review* 55-79

Horn JG and Pienaar GJ "Exclusive use rights in terms of sectional title legislation" 2020 31(1) *Stellenbosch Law Review* 91-109

Raats A and Brits P "Die beoogde *sui generis*-beskerming van inheemse kennisbates in die Suid-Afrikaanse intellektuele goederereg" 2020 31(1) *Stellenbosch Law Review* 110-137

Vos W "Personal cost orders: protecting the public purse" 2020 31(1) *Stellenbosch Law Review* 138-157

International

Lukas J and Payton E "Colorado River Basin Climate and Hydrology: State of the Science"(Western Water Assessment [Report](#) 2020)

2020 *Wolters Kluwer Future Ready Lawyer Survey: Performance Drivers* examines future readiness and resilience in the legal sector with insights from 700 legal professionals across the U.S. and Europe – find report [here](#)

"The Global Trends in Renewable Energy Investment 2020 (GTR) [Report](#)" (10 of June 2020) , finds that

2020 12(3) *International Journal of Climate Change Strategies and Management* available [here](#) – Call for papers on COVID-19 and Climate Change

The deadline for expressions of interest is 30th June 2020. The deadline for full papers is 30th September 2020.

The Editorial Team (please do not reply to this message: [email](#) the abstract)

World Bioenergy Association Download the survey report [here](#)

[WGSJ](#): OpenAccess Energy Blueprint - recommendations for a collaborative pathway to energy access

Bauer A and Menrad K "The nexus between moral licensing and behavioral consistency: Is organic consumption a door-opener for commitment to climate protection?" 2020 [The Social Science Journal](#)
<https://doi.org/10.1080/03623319.2020.1757350>

Ferraro PJ and Simorangkir R "Conditional cash transfers to alleviate poverty also reduced deforestation in Indonesia" 2020 6(24) [Science Advances](#) DOI: 10.1126/sciadv.aaz1298

Sang-Yoon Jun *et al* "The internal origin of the west-east asymmetry of Antarctic climate change" 2020 6(24) [Science Advances](#) DOI: 10.1126/sciadv.aaz1490

Masselink G, Beetham E and Kench P “Coral reef islands can accrete vertically in response to sea level rise” 2020 6(24) [Science Advances](#) DOI: 10.1126/sciadv.aay3656

Meucci A *et al* “Projected 21st century changes in extreme wind-wave events” 2020 6(24) [Science Advances](#) DOI: 10.1126/sciadv.aaz7295

Caldés N *et al* “Obstacles for the CSP Cooperation Mechanisms Lessons learned from the past’ (MUSTEC [Working Document](#) May 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Lexology](#): ENS “South Africa: COVID-19 - A new chapter in state sovereignty over natural resources?” 19 May 2020

- **Climate change and energy**

[Lexology](#): Werkmans “Electricity Regulation in South Africa” 31 October 2019

[BizCommunity](#): Winkler H “The case for turning South Africa's coal fields into a renewable energy hub” 26 May 2020 [Legalbrief Environmental 9 June 2020]

[Mining Weekly](#): “Public renewables ownership in South Africa could aid in removing potential barrier to decarbonisation” 12 June 2020

- **Environmental enforcement**

[Webber Wentzel](#): Kilner Kirsty and Novotny Paula-Ann “Environmental considerations for surviving Covid-19” 10 June 2020

- **Local government**

[CLESinPress](#): CLES Newsletter June 2020

- **Mining**

[Mining Weekly](#): Arnoldi M “Pilanesberg reaches agreement with community around Wilgespruit” 11 June 2020

- **Water, waste, oceans and chemicals**

[Webber Wentzel](#): Rapson G and Novotny P-A “Recent AMSA Judgment: Far-reaching implications for waste management” 9 June 2020

South African Journal of Science recently hosted a Q&A with the authors of a series of reviews in our latest issue on [Marine plastic debris in South Africa: From sources to solutions](#). For those who have an interest in the topic and were unable to join, you are welcome to view the recording [here](#)

[Amabhugane](#): Mama S and Sole S “Sisulu and suspended Amatola water chief both exposed by cover-up for union king-maker” 9 June 2020 [Legalbrief Forensic 11 June 2020]

[The Conversation](#): Herbert A and Fitchett J “Learning from South Africa: reconstructing rainfall seasonality in Australia” 9 June 2020

[The Conversation](#): Ryan P “We looked for South Africa’s ‘missing’ plastic litter. This is what we found” 8 June 2020

- **Miscellaneous**

[Webber Wentzel](#): Novotny P-A “What post-Covid Restructuring & Insolvency means for environmental compliance” 5 June 2020

Africa

- **Biodiversity, protected areas and culture**

[eTN](#): Ofungi T “Uganda Wildlife Authority arrests four poachers in silverback gorilla death” 12 June 2020

[The Conversation](#): Sardeshpande M *et al* “Why the world needs to ensure wild species are used sustainably” 10 June 2020

[The Conversation](#): Scholes M “Climate change, biodiversity loss and other global ills share root causes” 9 June 2020

[The Conversation](#): Timothy DO “Why abattoirs in Nigeria pose a threat to health and the environment” 8 June 2020

- **Climate change and energy**

[Extractives Baraza](#): Muchira N “Taxpayers Lose \$2m in Kenya’s Early Oil Scheme” 10 June 2020

- **Mining**

[Lexology](#): “At a glance: oil exploration and production in Angola” 11 June 2020

[Lexology](#): Bogere J “Extractives and the Environment: Kenya’s Legal and Institutional Framework” 19 May 2020

[Extractives Baraza](#): Obiria M “Push for Gender Mainstreaming in Mining Sector” 10 June 2020

- **Water, waste, oceans and chemicals**

[Thomas Reuters](#) Foundation: Taylor L “Uganda wants people to leave flooded wetlands - and not come back” 11 June 2020

- **Miscellaneous**

[eTN](#): Tairo A “COVID-19 Threat: African School Children Face Dilemma” 11 June 2020

[The Guardian](#): Sullivan H “Global report: WHO warns of accelerating Covid-19 infections in Africa” 12 June 2020

International

- **Biodiversity, national parks and culture**

[Thomas Reuters](#) Foundation: Turnbull T “Race protests turn spotlight on rights of indigenous Australians” 5 June 2020

[IISD](#) SDG Knowledge Hub: Finlay H and Da Conceicao HR “Unlocking Nature’s Potential” 11 June 2020

[IISD](#) SDG Knowledge Hub: Fishman A “UNCTAD Explores South-South Cooperation Solutions for the COVID-19 Era” 11 June 2020

[Lexology](#): “Not out of the woods yet... Environment Agency grants extension to waste wood classification” [USA] 11 June 2020

[Science](#): Stokstad E “Plastic dust is blowing into U.S. national parks—more than 1000 tons each year” 11 June 2020

[Nature](#): Glausiusz J “Pulling back layers of history, culture and identity - Aboriginal archaeologist Chris Wilson retraces the steps of the Ngarrindjeri people in South Australia” 9 June 2020

[Lexology](#): “Sixth Circuit: Spill Response Plans Do Not Trigger Endangered Species Act or NEPA Review” 8 June 2020

[IISD](#) SDG Knowledge Hub: Wertz-Kanounnikoff S “Forests and Pollinators – Close Companions with a Shared Destiny” 9 June 2020

Briggs H “Red pandas tracked by satellite in conservation 'milestone'” [BBC](#) 13 June 2020

- **Climate change and energy**

Commonwealth academies statement on climate change, biodiversity and sustainable energy (June 2020) – find the statement [here](#)

SHC International Conference on Solar Heating and Cooling for Buildings and Industry 2019, Santiago, Chile 04 - 07 November 2019 - SWC/SHC 2019 Proceedings available [here](#)

[Thomas Reuters](#) Foundation: Larson S “As warming risks rise, Boston pastor sees need to spur 'climate justice'” 8 June 2020

[CarbonBrief](#): Gabbatiss J “‘Construction fever’ responsible for one fifth of China’s CO2 emissions” 9 June 2020

Women in Energy, Climate and Sustainability (WECS) – find the website [here](#)

[IISD](#) SDG Knowledge Hub: Leone F “GSI Event Places Trade and Climate Change at the Center of COVID-19 Recovery Efforts” 11 June 2020

[IISD](#) SDG Knowledge Hub: Gordon-Harper G “WFP, ODI Report Analyzes Evidence Base on Anticipatory Action” 11 June 2020

[Lexology](#): “Climate Change / Sustainability Planning and the Large Employer Emergency Financing Facility” [Canada] 27 May 2020

[IISD](#) SDG Knowledge Hub: Souvignet M “Economics of Climate Adaptation: Identifying Cost-effective Adaptation Measures to Climate Change” 9 June 2020

[Lexology](#): “Climate change litigation and disclosure implications during COVID-19” [Canada] 5 June 2020

[The Guardian](#): Watts J “Climate worst-case scenarios may not go far enough, cloud data shows” 13 June 2020

- **Environmental enforcement**

[Lexology](#): “Alberta Court of Appeal decision clarifies judicial review of administrative decisions in the absence of reasons and treatment of quarries under Alberta’s environmental assessment regime” [Canada] 10 June 2020

[Lexology](#): “Trump Orders Use of Emergency Authority to Expedite Infrastructure Projects” 10 June 2020

[Lexology](#): “First Circuit Vacates Air Permit Due to Inadequate BACT Analysis” [USA] 10 June 2020

[Lexology](#): “Q&A: The current health emergency context offers opportunities in a changed environment for disputes. What tools are available in France?” 4 June 2020

[Lexology](#): “Important changes to the EP&A Act - lapsing consents, appeal periods and existing uses” 3 June 2020

- **Local government**

[Thomson Reuters](#) Foundation: Barkawi B “Home farming takes root in Lebanon amid coronavirus shortages” 10 June 2020

[Thomas Reuters](#) Foundation: Chandran R “Singapore calls for 'mindset' change as migrant workers are rehoused” 10 June 2020

[IISD](#) SDG Knowledge Hub: Leone F “UN Secretary-General Appoints Panel for UN-Habitat Review” 18 April 2020

[IISD](#) SDG Knowledge Hub: Leone F “SDG Advocates Address Children’s Rights, PPPs” 18 April 2020

[IISD](#) SDG Knowledge Hub: Grund L “UN World Oceans Day 2020 Virtual Event Highlights Solutions” 11 June 2020

[IISD](#) SDG Knowledge Hub: Mead L “Cities, Regions, Businesses Commit to “Race to Zero” Emissions in Post-COVID-19 Economic Recovery” 11 June 2020

[Lexology](#): “How does a council balance disability discrimination and nuisance?” [UK] 10 June 2020

[Lexology](#): “Shanghai issues Sixteen Measures to Promote Industrial Investment by Development of Specialized Industrial Parks” 29 May 2020

[The Guardian](#): Addley E “Archaeologists discover 'amazing' details of Roman city” 9 June 2020

- **Mining**

[Lexology](#): “At a glance: oil exploration and production in Brazil” 11 June 2020

[Lexology](#): “In brief: natural gas production in Austria” 10 March 2020

[Lexology](#): “Reframing remediation - National Remediation Framework launched” [Australia] 11 June 2020

[Lexology](#): “In brief: natural gas production in Albania” 10 March 2020

[Extractives Baraza](#): Rashad M “Saudi Arabia Aims To Boost Investment with Mining Law” 10 June 2020 **Water, oceans, waste and chemicals**

[Thomas Reuters](#) Foundation: Angela M “Indigenous leaders fear Amazon soy port could be conduit for COVID-19” 10 June 2020

[Thomas Reuters](#) Foundation: Glinski S “Water politics heat up under worsening climate in Afghanistan” 9 June 2020

[Thomas Reuters](#) Foundation: Taylor M “Small islands may not disappear under rising seas, researchers find” 10 June 2020

[IISD](#) SDG Knowledge Hub: Bisiaux A “Solar Energy Projections Rise for 2017” 18 April 2020

[IISD](#) SDG Knowledge Hub: Anderson L “GLAAS Report Calls for Tripling Investments to Meet SDG Targets on Sanitation and Drinking Water” 18 April 2020

[Science](#): Cantwell M “Deep-sea currents are behind the ocean’s thickest piles of microplastics” 12 June 2020

[Science](#): KaráthJun K “Pandemic upends Colombia’s controversial drug war plan to resume aerial spraying” 11 June 2020

[IISD](#) ENB: 11th Meeting of the Monaco Blue Initiative 28 May and June 2020 | Online

- **Miscellaneous**

[IISD](#) SDG Knowledge: Wagner L “World Bank’s 2017 Atlas of SDGs Provides Tool for Tracking Implementation” 18 April 2020

[Lexology](#): “Will COVID-19 speed up green funds revolution?” [Guernsey] 10 June 2020

[Lexology](#): “Een verslag van de Afdeling bestuursrechtspraak in 2019: samenvattend jaaroverzicht” [Netherlands] 9 June 2020

[Lexology](#): “Sustainable Finance 2.0: Recent Developments in the Loan Market” [Ireland] 9 June 2020

[IISD](#) SDG Knowledge Hub: Wagner L “GEF Council Selects Next CEO, Agrees on Funding for 63 Projects, 5 Programs” 9 June 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 31 July 2020

More information will follow

The call for papers emailed separately.

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: 31 July 2020

Place: Virtual

The call for papers emailed separately.

ELA Streaming Club Session 2: Rotten (Episode 1, Season 1) Episode 1, Season 1, Lawyers, Guns and Honey

Date: Tuesday, 30 June 2020

Time: 19:00 SA time

After the success of our first ELA Streaming Club get together, the ELA Streaming Club is excited to host their second event on Tuesday, 30 June 2020 at 19h00 (CAT). Stream in your home, via Netflix, episode 1, titled 'Lawyers, Guns and Honey' (54 mins) of season 1 of *Rotten*, a docuseries that 'travels deep into the heart of the food supply chain to reveal unsavoury truths and expose hidden forces that shape what we eat'. A Zoom discussion will follow directly after the episode from 19h55. Contact us via [FB messenger](#) for the Zoom meeting details.

One reviewer of *Rotten* states: 'It's not as much an assault on our diets as much as an eye-opening examination into the business of food production and the corporate and criminal malfeasance that is a part of the multibillion-dollar food industry' –Tom Roston, *Salon*.

Contact Dr [Melanie Murcott](#) for the link or contact us via Facebook.

ELA Streaming Club during lockdown and possibly even beyond

Date and time, Last Tuesday of the month, 19:00-21:00 (CAT)

During lockdown ELA members and friends are invited to engage in discussion and thought on pressing environmental issues through the joy of film and documentaries.

How it works:

Each month, a film or documentary will be selected by the ELA for streaming in the comfort of your home on the last Tuesday of the month at 19:00 followed by a Zoom discussion directly after the film or documentary.

During the streaming, members and friends of the ELA are invited to comment on our Facebook event for live discussion about the film.

After the streaming, members and friends of the ELA are invited to participate in a Zoom discussion about the film, chaired by an ELA executive member, which

will include guests with specialised knowledge related to the film or documentary. For further details, check out our events on our Facebook page.

NWU CLES: First online Critical Conversation: The City and Access to Tertiary Education from the Perspective of Law

Date: 25 June 2020

Date: 14:00 - 16:00

Speakers Prof Klaus Beiter and Mr Ngwako Raboshakga of NWU

Prior registration is however required.

RSVP by 23 June 2020 [here](#)

Or email: [Nicolene Steyn](#) / [Maricéle Botes](#)

Upon registration, we will provide you with the necessary details to join the conversation via Zoom.

South African Young Academy of Science (SAYAS): Harnessing health Innovations in Africa to tackle COVID-19 & beyond

Date: Thursday, 18 June 2020

Time: 11:00-12:30.

Register here: <https://bit.ly/3f3l9TQ>

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

Abstracts

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

SARCPL Call for Abstracts: Property responses to a global pandemic - Call for chapter contributions

The South African Research Chair in Property Law (SARCPL), hosted by the Faculty of Law at Stellenbosch University provides a platform for scholars who can take the development of property law forward in the new constitutional era. As such, the SARCPL recognises that Covid-19 has affected almost every aspect of the daily lives of South Africans, and its effects will be felt for years, possibly decades to come. But what is the impact of Covid-19 on property rights? Against this background, the SARCPL and JUTA have collaborated to invite essays exploring some of these challenges, in the context of property law. Authors are invited to write on any topic relating to property law and Covid-19.

Interested scholars and practitioners can [email](#) abstracts not exceeding 300 words to [Mpho Tiale](#).

Important dates

Submission of abstracts 5 July, 2020.

Feedback on abstracts 31 July, 2020.

Submission of completed essays 2 October, 2020.

Publication of volume June, 2021.

For more information, visit the [SARCPL website](#).

SAPVIA PV GreenCard Installer Training

Date: 15 - 18 June 2020 with Practical on 19 June 2020 in Benoni

Course Duration: 4 days Live Stream Theoretical Training

Accreditation: 3.5 ECSA CPD for the course | 1 additional CPD Credit for completion of the practical | and 5.2 AEE Renewal Credits for online course

More [information](#)

Certified Energy Manager (CEM)

Date: 29 June to 4 July 2020

Certified Energy Manager (CEM) with remote exam

More [information](#)

International

IUCN Global Protected Areas Programme and IUCN WCPA: Vital Sites: The Journey to Marseille 6-month series of online events and multimedia content

Dates: June 2020 to January 2021

We would like to invite you to use the Journey to Marseille as a global platform to share expertise and thought leadership on our focus themes. "Vital Sites: The Journey to Marseille" will release content on a monthly basis from June to December 2020. So, if you would like to contribute to the Expert Speaker Series, Parallel Events, Webinars, or have an event or content idea of your own within the theme of the Journey, please send us your proposal according to the following simple template:

- Format (What?):
- Convenors (By whom?):
- Participants (With whom?):
- Requirements (How?):
- Dates (When?):

We wish you continued success in your work around the world, and look forward to hearing from you soon. Please ensure that you copy [Ruchir Sharma](#), our Communications Associate, who can ensure that you receive all of the information that you need.

The EU Sustainable Energy Week (EUSEW): Beyond the crisis: clean energy for green recovery and growth'

Date: 22-26 June 2020 online interactive event

Organised by the European Commission, EU Sustainable Energy Week (EUSEW) is the biggest annual event dedicated to renewables and efficient energy use in Europe.

More [information](#) and [registration](#)

Linklaters: Competition law and COVID-19: the future of sustainability, innovation and green measures?

Date: 16 June 2020

Time: 13:00 - 13:55 UTC

More [information](#) and registration

International Renewable Energy Agency (IRENA) and Ocean Energy Europe (OEE) joint webinar: a EU Sustainable Energy Week 2020 side event New horizons: Europe driving ocean energy development around the world

Date: 19 June 2020

More information and [registration](#)

NEWS

National

- **Biodiversity, protected areas, animal rights and culture**

Makana C "Cops, Green Scorpions stop booming lengana trade in Limpopo" [City Press](#) 8 June 2020

Sitrton B "SA photographer Brent Stirton's chilling series: 'Pangolins in Crisis'" [Mail & Guardian](#) 13 June 2020

Pinnock D and Walters T "Watershed for pangolins as China wipes scales off medicine list" [Daily Maverick](#) 11 June 2020

Thamm M "Hlophe's lawyer Barnabas Xulu rips into Minister Creecy, accuses her of racism and inexperience" [Daily Maverick](#) 11 June 2020

Ledwaba L "Promises, but no action after government employees allegedly cause a devastating fire on a farm" [Daily Maverick](#) 11 June 2020

Lewis H “Fast-growing mini-forests spring up in Europe to aid climate” [The Guardian](#) 13 June 2020

Stay of execution for 72 000 sheep

“Some 72 000 sheep have been granted a stay of execution after Kuwaiti livestock company Al Mawashi and East London-based Page Farming Trust were interdicted yesterday from exporting by ship any live animals from SA to the Middle East or across the equator. A Daily Dispatch report says the interim interdict sought in the Eastern Cape High Court (Makhanda) by the National Council of SPCAs (NSPCA) will remain in place until mid-July, when the organisation will bring an urgent application to put a permanent stop to the exportation of live animals by sea. Judge Ndumiso Jaji granted the interdict after hearing argument via a video conference hearing. The NSPCA’s attorney, Dominique Lloyd, from Schindler’s attorneys in Johannesburg, confirmed that the matter would resume in court on 16 July when the NSPCA will argue that the practice of live export by sea should be stopped altogether. Jaji ordered Al Mawashi to foot the legal costs of the urgent application.”

Full Daily Dispatch report (subscription needed) Legalbrief 10 June 2020

Covid-19 crisis: Fishing regulations may be open to challenge

“The Department of Environment, Forestry and Fisheries’ lockdown regulations regarding fishing during level three have been dismissed as ‘nonsensical and arbitrary’ and could be open to a legal challenge. According to a Cape Argus report, last week, Minister Barbara Creecy said: ‘All fishing, including recreational fishing, is permitted with the exception of charter fishing. Fishers must ensure they have a valid permit. All regulations relating to social distancing, health protocols, movement and the prohibition of groups and gatherings apply.’ However, Shaheen Moolla, the director of fishing advisory company Feike, said: ‘There is very little difference between recreational fishing and any other form of fishing.’ ‘This is because the majority of recreational fishers operate from the shore and the coastline and fish in solitude, whereas commercial fishers on the other hand are 10 or 12 on a little boat, particularly with small-scale fishing. Your risk factor, if we’re concerned about virus spread, is higher on a commercial fishing boat than with recreational fishermen. So it just further goes to show how nonsensical and irrational these regulations are.’ ‘I’m certain that should the Deep Sea Angling Association and Charter Boat Operators decide to challenge this decision, they will win,’ he added.”

Full Cape Argus report (subscription needed) Legalbrief 9 June 2020

- **Climate change and energy**

Comrie S “Eskom demands PwC pay back R95-million in consulting fees” [amaBhungane](#) 8 June 2020

Chiguvare B “Two years waiting for the lights to be switched on” [GroundUp](#) 9 June 2020

“South Durban chokes as Engen refinery starts up” [Mail & Guardian](#) 10 June 2020

Nair D “Sasol draws multiple bids for stake in US chemical site” [fin24](#) 13 June 2020

“Environmental groups reminds minister of nuclear procurement procedures” [Bizcommunity](#) 11 June 2020

Weinold M “General Electric's exit from lighting business is a warning to other players in the sector” [Bizcommunity](#) 9 June 2020

Hurst L and Rath A “Electrification may not be the answer to decarbonisation, says Shell” [BusinessLive](#) 10 June 2020

Smith H “Backlash grows over Greek energy deregulation law” [The Guardian](#) 11 June 2020

Energy: Electricity draft rules don't go far enough – DA

“The Western Cape provincial government has questioned the effectiveness of Energy Minister Gwede Mantashe’s draft amendments to electricity regulations, allowing for municipalities to establish self-sufficient electricity generation capacity. A Cape Argus report notes the regulations permitting municipalities to apply to Mantashe to establish new generation capacity were published in May. Finance & Economic Opportunities MEC David Maynier said: ‘While we support the intent of these regulations, the proposed amendments and lead times to the development of new generation capacity don’t go far enough to address the electricity crisis that SA may soon again be facing. They also don’t provide the regulatory certainty needed to rapidly and significantly increase generation capacity outside of Eskom by municipalities through the procurement or development of their own power generation. He added: ‘As we move to reopen the economy safely and responsibly, an increase in manufacturing coupled with higher than usual residential consumption in winter will certainly see an increase in pressure on Eskom’s ability to provide adequate electricity with associated risks of further load-shedding.’ The SA Photovoltaic Industry Association’s (Sapvia’s) COO Niveshen Govender said: ‘Sapvia submitted comments and requested clarity on behalf of the Solar PV industry. We now understand that Nersa has concurred with the Department of Mineral Resources & Energy’s ministerial determination on this matter, in line with the approved IRP 2019.’ Govender added: ‘There is in fact sufficient room for bilateral agreements and these continue to be licensed by Nersa.’”

Full Cape Argus report (subscription needed) Legalbrief 9 June 2020

- **Environmental enforcement**

Steyn L “ArcelorMittal to pay R3.64m fine to settle emissions violation” [BusinessLive](#) 10 June 2020 [Legalbrief 11 June 2020]

- **Local government**

Charles M “City of Cape Town's legal battles pile up amid national lockdown” [IOL](#) 9 June 2020

Mafole K “Chilly reception for City water tank update: ‘Tell us about evictions,’ says parliamentary committee” [Daily Maverick](#) 12 June 2020

Eco-Tourism: Cape Town listed as only eco-friendly city in SA

“Cape Town has been named as one of the best cities in the world for eco-friendly travel, according to a Turlane survey. A Cape Times report notes that Turlane, a carbon-neutral travel company, collected data from hundreds of cities to consider accessibility, green space, the ratio of tourists to locals and air quality. Cape Town is the only SA city on the list while the other African cities included are Nairobi in

Kenya and Marrakech in Morocco. James Vos, Mayco member for Economic Opportunities said 'more and more visitors are looking for environmentally friendly destinations and authentic experiences and this accolade demonstrates Cape Town's commitment to sustainable practices'.

Full Cape Times report (subscription needed) Legalbrief Environmental 9 June 2020

- **Mining**

Yeld J "Defamation case aims to censor activists, says Budlender" [GroundUp](#) 10 June 2020

Yeld J "Case brought by Aussie miners is 'an abuse of legal process' say defendants" [GroundUp](#) 11 June 2020

Stoddard E "South Africa mining output plunged over 47% in April" [Daily Maverick](#) 12 June 2020

Nelson J "'Their greed is gonna kill us': Indian Country fights against more fracking" [The Guardian](#) 10 June 2020

- **Water, oceans, waste and chemicals**

"More than 1,300 items of litter a day on Cape beaches - during hard lockdown" [TimesLive](#) 4 June 2020

Ellis E "Calls for tighter regulations as harmful algae threatens ecological disaster for Swartkops estuary" [Daily Maverick](#) 3 June 2020 [Legalbrief Environmental 9 June 2020]

Arnoldi M "Pilot programme starts bearing fruit for reclaimers" [Engineering News](#) 5 June 2020 [Legalbrief 9 June 2020]

- **Miscellaneous**

Gerber J "Ramaphosa refers controversial Secrecy Bill back to Parliament, citing constitutional concerns" [News24](#) 11 June 2020

Van der Merwe M and Khumalo S "Ramaphosa announces council to reform SA's state-owned enterprises" [fin24](#) 11 June 2020

Mashamaite M "Listen | Drones may be the future of food and product delivery" [TimesLive](#) 12 June 2020

Collinson P "Ethical investments are outperforming traditional funds" [The Guardian](#) 13 June 2020

Cockburn H "Half of Earth 'relatively intact' and should be protected from human encroachment, researchers say" [The Independent](#) 12 June 2020

International

- **Biodiversity, protected areas, animal rights and culture**

"Bolsonaro extends deployment of troops to curb Amazon deforestation" [Reuters](#) 11 June 2020

Jain Y “Challenging the Environment in the Face of Crisis: The Dibang Diaries” [The Jurist](#) 11 June 2020

Maas C “US National Park Service removes prohibitions on hunting practices in Alaska” [The Jurist](#) 10 June 2020

Boyle L “Stop the wildlife trade: Illegal ivory trafficking shifts to Cambodia after crackdown in China” [The Independent](#) 12 June 2020

Ng K “World’s largest green turtle colony nearly twice as big as thought” [The Independent](#) 10 June 2020

Foley M “‘Really depressing’: National environment laws failing to deliver” [Sydney Morning Herald](#) 14 June 2020

“U.S. unveils vision for more development in national forests” [Reuters](#) 12 June 2020

- **Climate change and energy**

“Germany unveils €9 bln hydrogen plan to cut industry emissions as firms launch steel pilot” [Carbon Pulse](#) 10 June 2020

“Israel mulls carbon tax on power, transport, and cooking gas” [Carbon Pulse](#) 10 June 2020

Wettengel J “German govt approves long-delayed 10-year national energy and climate plan” [CleanEnergyWire](#) 10 June 2020

Grüll P “The green compromise in the Austrian Airlines bailout” [EurActiv](#) 10 June 2020

“Passengers to pay a CO2 tax on plane tickets” [Swissinfo.ch](#) 10 June 2020

“Japan, EU to push for online climate ministerial summit, stress need for carbon pricing” [Carbon Pulse](#) 11 June 2020

Chestney N “Global new clean energy investment totaled \$282 billion last year: research” [Reuters](#) 10 June 2020

Rabson N “Greta Thunberg pushes Canada, Norway on climate before UN Security Council vote” [CBC](#) 11 June 2020

Harvey F “‘Surprisingly rapid’ rebound in carbon emissions post-lockdown” [Guardian](#) 11 June 2020

Edwardes-Evans H “Enel eyes faster coal exit as worsening economics ‘here to stay’” [S&P Global](#) 12 June 2020

Simon F “EU green finance czar: ‘Obvious’ that companies should report on climate risk” [EurActiv](#) 12 June 2020

Johnson HS “Fraport committed to Green Electricity at Frankfurt Airport” [eTN](#) 9 June 2020

“Trump admin claims WCI linkage directly violates US Constitution, maintains connection to Paris Agreement” [Carbon Pulse](#) 9 June 2020

Loury R “Thermal power plants must shut down early to meet climate targets, says study” [EurActiv](#) 9 June 2020

Rowlatt J “Britain goes coal free as renewables edge out fossil fuels” [BBC](#) 10 June 2020

“Shanghai Renewable Subsidies to Support Solar and Offshore Wind” [Bloomberg](#) 9 June 2020

“U.S. backs changes to aviation emissions scheme: sources” [Reuters](#) 8 June 2020

“Germany to double climate protection surcharge on gas guzzlers from 2021 – draft” [Reuters](#) 8 June 2020

Reinsberg B “3 ways blockchain could get the world to act against the climate crisis” [Bizcommunity](#) 12 June 2020

Stone M “Trump’s plans to use nuclear weapons on hurricanes challenged in new Democratic bill” [The Independent](#) 9 June 2020

Hannam P and Foley M “Pandemic pummels gas outlook as investment in renewables also falters” [Sydney Morning Herald](#) 11 June 2020

Joyner A “United States Oil Fund receives green light to issue new shares” [Reuters](#) 12 June 2020

- **Local government**

Hannam P “No sign of purple rain – so what turned Sydney creek a vivid mauve?” [Sydney Morning Herald](#) 14 June 2020

- **Mining**

Bernasconi A and Reading K “Santos Narrabri gas project final hurdle looms as Minister sets timeline for IPC determination” [Australia] [ABC](#) 12 June 2020

Graney E “New oil sands projects would no longer need government approval under new Alberta bill” [The Globe and Mail](#) 11 June 2020

- **Water, waste, oceans and chemicals**

“Ocean geoengineering tests violate UN convention: green groups” [AFP](#) 8 June 2020

Czachur M “Take action today and see how far it will ripple” [Mail & Guardian](#) 7 June 2020

Cockburn H “Indian lake turns pink leaving locals baffled” [The Independent](#) 12 June 2020

Malo S “In Brief: Farmers, environmental groups claim EPA in contempt for defying dicamba order” [Reuters](#) 12 June 2020

- **Miscellaneous**

Secon H “A newly-discovered star, and possibly habitable planet, are strikingly familiar to humans” [Business Insider](#) 9 June 2020

Graham DW and Collignon P “‘The next pandemic might be worse’: Scientists are already fighting the next global superbug” [The Independent](#) 13 June 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

University of the Witwatersrand: Campaign Manager (AD05)

Closing date: 19 June 2020

More [information](#)

Postdoctoral Research Fellowship in Intellectual Property Law

The Intellectual Property Unit (ip-unit.org) at the Department of Commercial Law, UCT, invites applications for a Postdoctoral Research Fellowship in the area of Intellectual Property Law.

The fellow will primarily work on one of our projects: One Ocean Hub.

Scope and Purpose

Broadly, this full-time fellowship will support the One Ocean Hub project (<https://oneoceanhub.org/>) by contributing towards the understanding of intellectual property aspects related to ocean exploration, exploitation and management.

The initial tenure of the fellowship is one year.

The deadline for applications is 15 June 2020.

More [information](#)

Alas Agisa Sectional Title Expert (Associate level)

More [information](#)

International

NHMRC Grant-Funded Researcher A for Adelaide Law School

Job no: 504316

“The algorithm will see you now: ethical, legal and social implications of adopting machine learning systems for diagnosis and screening”, and the ARC Grant, “Support or Sales? Medical Device Representatives in Australian Hospitals”.

Work type: Fixed term - Part-time

Campus: Adelaide

More [information](#)

[PhD Position in European, Public and International Law](#)

Ghent University Department of European, Public and International Law

[PhD Scholarship JustSites and iCourts](#)

University of Copenhagen Faculty of Law

[Assistant / Associate Professor of Public Law](#)

University of Helsinki Faculty of Law

[Junior Professorship of Private Law and Economics](#)

University of Hamburg Faculty of Law

[Endowed Professor of Arms Control Law](#)

University of Amsterdam Amsterdam Law School

[PhD Position in Separation of Powers for 21st Century Europe](#)
University of Amsterdam

[Postdoctoral Position in Socio-Legal Research](#)
University of Amsterdam Amsterdam Law School

[Professor in Sustainability Science; Sustainable Food Systems](#)
Stockholm University

[Associate Professor of Administrative Law](#)
University of Lausanne

[Assistant Professor of Sports Regulation](#)
University of Lausanne

[Research Assistant in Content Regulation of Online Platforms](#)
University of Leeds School of Law

[Research Associate / Fellow in Forced Marriage and Modern Slavery](#)
University of Nottingham Department of Politics and International Relations

Vermont Law School Environmental Justice LLM Fellowship program
The fellow will work part-time in VLS's [Environmental Justice \(EJ\) Clinic](#) while pursuing an LLM degree in [Environmental Law](#) or [Food and Agricultural Law](#). The position includes a full tuition reimbursement for an LLM degree and a year stipend.

For two years beginning in late August 2020, the fellow will work alongside students and faculty in the EJ Clinic to fight the disproportionate impacts of industrial agriculture on low-income communities and communities of color; develop and seek to compel the adoption of strong environmental justice laws; and compel civil rights enforcement in the environmental context, among other projects. This is a great opportunity to work on litigation, administrative advocacy, public education, and legislation while earning a degree in a renowned environmental law program.

Candidates with a JD are invited to apply for the two-year program by July 1, 2020. For more information, visit [here](#).

The Territory, Citizenship and Sustainability Research Group at Rovira i Virgili University seeks post-doc fellows on LAW

We are interested in receiving proposals in the areas of:

- Environmental Crime [here](#)
- Sociolegal studies/Emerging Rights [here](#)
- Digital Rights and Democracy [here](#)
- Energy, Governance and Global Crisis [here](#)

Selected candidates will receive strong support by our team to write a successful proposal and submit the application for the Call: Marie Skłodowska-Curie Individual Fellowships (IF) 2020.

Expressions of interest (a CV and a summary presentation of their research proposal/A motivation letter) must be submitted to uspir@urv.cat (Title of the e-mail "URV- MSCA - IF – Name of responsible professor").

[Website](#)

Sustainability Manager, Environmental Products – Melbourne
More information [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.



A Public Benefit Organisation



ELA NEWSLETTER 25

19 June 2020

Level 3 Lockdown

The economy is opening up – the spread of infection is spiralling. Keep safe and keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club.

BILLS

Draft Disaster Management Tax Relief Administration Bill, 2020 - GN 674 in [GG](#) 43443 of 17 June 2020 – for comment

Local Government: Municipal Demarcation Bill, 2020 – Gen Notice 332 in [GG](#) 43440 of 17 June 2020)

DIRECTIONS

Disaster Management Act 57 of 2002

- GN 697 in [GG](#) 43460 of 19 June 2020 - Directions to address, prevent and combat the spread of Coronavirus COVID-19: Supply of energy and petroleum products and maintenance and construction work for energy projects (Mineral Resources and Energy Directions)
- GN R696 in [GG](#) 43459 of 19 June 2020 - Protocols to mitigate and manage the COVID -19 outbreak amongst employees and customers in the personal care services industry

NOTICES

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 - GN 680 in [GG](#) 43447 of 19 June 2020 - Authorisation of enforcement by local authority

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 - GN 681 in [GG](#) 43447 of 19 June 2020 - Preservatives and Antioxidants Regulations published in GN R965 in [GG](#) 5575 of 3 June 1977 amended

National Nuclear Regulator Act 47 of 1999 - GN R694 in [GG](#) 43456 of 19 June 2020 - Draft Regulations on the Long Term Operation of Nuclear Installations - for comment

Carbon Tax Act 15 of 2019 - GN 690 in [GG](#) 43451 of 19 June 2020 - Regulations on the allowance in respect of trade exposure in respect of carbon tax liability under section 10 of the Carbon Tax Act published with effect from 1 June 2019

Carbon Tax Act 15 of 2019 - GN 691 in [GG 43452](#) of 19 June 2020 - Regulations on the greenhouse gas emissions intensity benchmark prescribed for the purpose of section 11 of Carbon Tax Act, 2019 published with effect from 1 June 2019

Carbon Tax Act 15 of 2019 - GN 692 in [GG 43453](#) of 19 June 2020 - Renewable energy premium in respect of any tax period ending on 31 December 2019 for the purposes of symbol 'B' in s. 6 (2) of the Act published (

Standards Act 8 of 2008 – Gen Notice 337 in [GG 43447](#) of 19 June 2020

Draft Standards for comment

- SANS 52 Ed 1 - Solid mineral fuels - Determination of phosphorus content - Reduced molybdophosphate photometric method. Specifies a reduced molybdophosphate photometric method for the determination of the total phosphorus content of hard coal, lignites and coke
- SANS 5074 Ed 2 - Hard coal - Determination of Hardgrove grindability index. Specifies the method for determining the grindability index of hard coal using the Hardgrove machine. It also specifies the procedure for calibrating the test machine and for preparing the standard reference coal samples
- SANS 502 Ed 2 - Coal - Determination of caking power - Gray-King coke test. Specifies a method of assessing the caking power of coal under standard conditions.
- SANS 501 Ed 1 - Coal - Determination of the crucible swelling number. Specifies a method for determining the swelling properties of hard coal when heated in a covered crucible
- SANS 334 Ed 1 - Solid mineral fuels - Determination of total sulfur - Eschka method. Specifies a reference method for determining the total sulfur content of hard coal, brown coals and lignites, and coke by the Eschka method
- SANS 18091 Ed 2 Quality management systems - Guidelines for the application of ISO 9001 in local government.
- SANS 60079-29-1 Ed 2 Explosive atmospheres Part 29-1: Gas detectors - Performance requirements of detectors for flammable gases. Specifies general requirements for construction, testing and performance, and describes the test methods that apply to portable, transportable and fixed apparatus for the detection and measurement of flammable gas or vapour concentrations with air. The apparatus, or parts thereof, are intended for use in potentially explosive atmospheres and in mines susceptible to firedamp.
- SANS 1411-1 Ed 1 Materials of insulated electric cables and flexible cords Part 1: Conductors. Specifies requirements for copper and aluminium conductors used in insulated electric cables and flexible cords. Covers solid, stranded and flexible circular conductors, and solid and stranded shaped conductors of the sizes included in various specifications

New Standards

- RP 2077:2020 Ed 1 Guideline on Ethics for Traditional Health Practitioners (THPs) in traditional health care. Specifies the discipline and professionalism required by an individual who has acquired skills of being a THP as well as adherence to ethical conduct in diagnosing, prescribing, dispensing, initiating and healing using African traditional medicine (ATM).
- SATS 22002-5:2020 Ed 1 Prerequisite programmes on food safety - Part 5: Transport and storage. Specifies requirements for establishing, implementing

and maintaining prerequisite programmes (PRPs) for transport and storage in the food chain to assist in controlling food safety hazards.

- SANS 987:2020 Ed 1 Adiabatic Spontaneous Combustion Apparatus. Describes the method for determining the propensity of coals to spontaneous combustion using the adiabatic principle.
- SANS 16911-1:2020 Ed 1 Stationary source emissions - Manual and automatic determination of velocity and volume flow rate in ducts - Part 1: Manual reference method. Specifies a method for periodic determination of the axial velocity and volume flow rate of gas within emissions ducts and stacks.
- SANS 16911-1:2020 Ed 1 Stationary source emissions - Manual and automatic determination of velocity and volume flow rate in ducts - Part 2: Automated measuring systems. Describes specific requirements for automated measuring system (AMS) flow monitoring.
- SANS 24521:2020 Ed 1 Activities relating to drinking water and wastewater services-Guidelines for the management of basic on site domestic wastewater services. Provides guidance for the management of basic on-site domestic wastewater services.
- SANS 466:2020 Ed 2 Quality management systems - Guidelines for quality plans. Gives guidelines for establishing, reviewing, accepting, applying and revising quality plans.
- SANS 61724-1:2020 Ed 1 Photovoltaic system performance - Part 1: Monitoring. Defines the classes of photovoltaic (PV) performance monitoring systems.

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 - LAN 20226 in *PG* 8251 of 12 June 2020 - Bergrivier Local Municipality: By-law relating to the control of boats and boating on the Berg River Estuary (2020) - for comment

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 20230 in *PG* 8252 of 19 June 2020 - Drakenstein Local Municipality - Spatial Development Framework for the period 2020–2025 for WC023

Spatial Planning and Land Use Management Act 16 of 2013; and Western Cape Land Use Planning Act 3 of 2014 - LAN 20233 in *PG* 8252 of 19 June 2020 - Witzenberg Local Municipality - Spatial Development Framework (MSDF)

Eastern Cape

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 - LAN 104 in *PG* 4414 of 15 June 2020 - Buffalo City Metropolitan Municipality - Installation of electronic communication facilities By-law

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 29 in PG 2189 of 18 June 2020 - City of uMhlathuze Local Municipality - By-law for the Control of Outdoor Advertising

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 and Water Services Act 30 of 2007[sic] - MN 30 in PG 2189 of 18 June 2020 - uMhlathuze Local Municipality - Water Services By-laws, 2010[sic]

Local Government: Municipal Systems Act 32 of 2000; Local Government: Municipal Finance Management Act 56 of 2003 and Local Government: Municipal Property Rates Act 6 of 2004 - MN 38 in PG 2189 of 18 June 2020 - uMdoni Local Municipality - Approval of the final IDP

North West

National Environmental Management Act 107 of 1998: National Environmental Management Framework Regulations, 2010 PN 79 in PG 8119 of 16 June 2020 - Bojanala Platinum District Municipality - Environmental Management Framework (EMF)

BEST PRACTICE GUIDELINES

South African Best Practice [Guidelines](#) for Pre-construction Monitoring of Bats at Wind Energy Facilities 5th Edition (8 June 2020) [IAIA 2020/2021 News | 18 June 2020]

South African Good Practice [Guidelines](#) for Operational Monitoring for Bats at Wind Energy Facilities: 2nd Edition (June 2020) [IAIA 2020/2021 News | 18 June 2020]

CASES

National

Cradock Business Forum and Others v ESKOM Holdings SOC Limited and Others (1900/2019) [2020] [ZAECHGHC](#) 65 (17 June 2020)

“[1] The Inxuba Yethemba Municipality, which includes amongst others Cradock and Middelburg, owes Eskom Holdings Limited (Eskom) a large sum of money in respect of electricity provided by Eskom for which the municipality has not paid. On 21 June 2019 the Cradock Business Forum, Middelburg Ratepayers Association and Cradock Ratepayers Association (the applicants) instituted an application against Eskom ...”

[2] In their notice of motion the applicants essentially sought the following relief:

2.1. that Eskom and the municipality take every reasonable effort to settle the dispute between them, including exhausting all other remedies to resolve the aforesaid dispute in terms of the Intergovernmental Relations Framework Act before the interruption of electricity supply by Eskom to the municipality as a result of the municipality's default to pay;

- 2.2. that the municipality must pay, within 3 days, to Eskom all outstanding amounts due to Eskom for the supply of electricity and that Eskom must thereafter supply electricity to the municipality in the ordinary course on an interrupted basis;
- 2.3. alternatively to paragraph 2.2 above, that Eskom and the municipality shall, within 7 days, agree to a payment plan in respect of the municipality's indebtedness to Eskom;
- 2.4. that the municipality shall comply with the terms of that payment plan and deviate therefrom only with the leave of this court;
- 2.5. that the municipality shall report to this court under oath on its compliance with the payment plan;
- 2.6. that the municipality shall ensure that all payments received by it in respect of electricity at Cradock be separated from the payments it received in respect of electricity at Middelburg and that portion of the equitable share for electricity be ring-fenced for those two towns for payment to Eskom for electricity usage; and
- 2.7. that the municipality and those respondents who oppose the application pay the costs of the application."

Ikamva Architects CC and Others v Enoch Mgijima Local Municipality (3633/2018) [2020] ZAECHGHC 63 (17 June 2020)

"[1] The applicants in this matter seek a mandatory interdict to compel the respondent to provide their premises with uninterrupted three-phase electricity of a specified voltage. To regularly check the electrical lines feeding the applicants' premises and to take all necessary steps to prevent the constant friction between the power lines which *inter alia* result in interrupted electricity supply to the applicants' premises within one month of the granting of this order. To replace all cables supplying and leading to the applicants' premises, which are presently aluminium, or other inappropriate materials, with copper cables within one month of the granting of this order."

International

United States Forest Service et al. v. Cowpasture River Preservation Association et al. [Case No. 18-1584](#). United States Court of Appeals for the Fourth Circuit Decided June 15, 2020

"Petitioner Atlantic Coast Pipeline, LLC (Atlantic), sought to construct an approximately 604-mile natural gas pipeline from West Virginia to North Carolina along a route that traversed 16 miles of land within the George Washington National Forest. As relevant here, Atlantic secured a special use permit from the United States Forest Service, obtaining a right-of-way for a 0.1-mile segment of pipe some 600 feet below a portion of the Appalachian National Scenic Trail (Appalachian Trail or Trail), which also crosses the National Forest. Respondents filed a petition for review in the Fourth Circuit, contending, *inter alia*, that the issuance of the special use permit for the right-of-way under the Trail violated the Mineral Leasing Act (Leasing Act). Atlantic intervened. The Fourth Circuit vacated the permit, holding that the Leasing Act did not empower the Forest Service to grant the right-of-way because the Trail became part of the National Park System when the Secretary of the Interior delegated its authority over the Trail's

administration to the National Park Service, and that the Leasing Act prohibits pipeline rights-of-way through lands in the National Park System. Held: Because the Department of the Interior's decision to assign responsibility over the Appalachian Trail to the National Park Service did not transform the land over which the Trail passes into land within the National Park System, the Forest Service had the authority to issue the special use permit."

PUBLICATIONS

National

Chamberlain D *et al* "Wealth, water and wildlife: Landscape aridity intensifies the urban luxury effect" 2020 29(7) *Global Ecology and Biogeography* <https://doi.org/10.1111/geb.13122> [provided by Anel du Plessis]

REN21 "Renewables 2020 Global Status [Report](#)" (June 2020)

International

2020 7(2) *Extractive Industries and Society* with theme 'Development Minerals' – download [here](#) for free before 4 August 2020

IEA "Sustainable Recovery" (World Energy Outlook Special [Report](#) June 2020)

Elsen PR "Keeping pace with climate change in global terrestrial protected areas" 2020 6(25) *Sciences Advances* DOI: 10.1126/sciadv.aay081

Foster V and Anshul R "Rethinking Power Sector Reform in the Developing World. Sustainable Infrastructure" ([Report](#) Washington, DC World Bank June 2020)

Hallegatte S; Rentschler J and Rozenberg J "Lifelines: The Resilient Infrastructure Opportunity" ([Report](#) Sustainable Infrastructure Washington, DC: World Bank 2019)

Rozenberg J and Fay, M "Beyond the Gap: How Countries Can Afford the Infrastructure They Need while Protecting the Planet" ([Report](#) Sustainable Infrastructure Washington, DC: World Bank 2019)

WWF "Covid 19: Urgent Call To Protect People And Nature" ([Report](#) June 2020) [provided by Inge Snyman]

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Lexology](#): Baker McKenzie "South Africa: Regulating no-poach agreements during the COVID-19 pandemic" 4 June 2020

[Daily Maverick](#): Pinnock D "'Unfair Game' reveals the cruel reality of canned lions" 19 June 2020

[Daily Maverick](#): Stoddard E “White rhino monopoly capitalism? 28% of SA’s private rhino owners are ‘getting out’ of the species” 19 June 2020

[The Conversation](#): Rudolph EM, Hedding DW and Nel W “Marion Island’s last ice age happened earlier than we thought. Why it matters” 18 June 2020

[The Conversation](#): Alden C and Harvey R “South African proposal to breed wildlife for slaughter courts disaster” 14 June 2020

- **Mining**

[Bizcommunity](#): “The draft petroleum Bill, skills development and how SA can benefit from Mozambique’s LNG project” 12 June 2020

[Mining Weekly](#): Arnoldi M “Minerals Council shares details of mining industry’s Covid-19 resilience with committee” 19 June 2020

- **Miscellaneous**

[Webber Wentzel](#): Davies H, Felekis A and Van der Poel J “Infrastructure development companies gear up for inaugural SIDSSA” 17 June 2020

Africa

- **Biodiversity, protected areas and culture**

[The Jurist](#): Stephens C “Federal appeals court allows Fish and Wildlife Service to issue permits for hunting trophy imports” 17 June 2020 – find the judgment [here](#)

[allAfrica](#): “Africa: New Study Finds More Biodiversity in Richer Neighbourhoods” 10 June 2020 [Legalbrief Environmental 16 June 2020]

[The Independent](#): Boyle L “Plight of the pangolins: What does the future hold for this rare and reclusive animal?” 20 June 2020

[The Independent](#): Ng K “Scientists unlock ‘massive diversity’ of Ethiopia’s superfood in bid to save it from global warming” 20 June 2020

[The Guardian](#): Akunwotu E “Nigerian scholar calls for halt to auction of sacred Igbo artworks” 21 June 2020

[The Conversation](#): Garbett B “What’s behind hundreds of vulture deaths in Guinea-Bissau. And what can be done” 14 June 2020

- **Climate change and energy**

[Bizcommunity](#): Paldanius R “Energy storage technology will make blackouts in Africa ancient history” 17 June 2020

[allAfrica](#): Nkurunziza M “Rwanda: Inside the Country’s 10 Multi-Billion Dollar Green Projects” 16 June 2020

[Mining Weekly](#): Arnoldi M “Tlou gets green light for 2 MW plant’ [Botswana] 18 June 2020

- **Mining**

[Extractives Baraza](#): “How Illegal Mining is Driving Local Conflicts in Nigeria” 16 June 2020

[News24](#): “NGO accuses France of starting Mozambique 'climate bomb'” 15 June 2020

[Bizcommunity](#): “Miners bump heads over DRC mining code” 19 June 2020

[Bizcommunity](#): Muthuni JN “Covid-19 is underscoring the vulnerable lives of Kenya’s artisanal gemstone miners” 18 June 2020

[Lexology](#): “In brief: natural gas production in Egypt” 10 March 2020

[Lexology](#): “At a glance: oil exploration and production in Ghana” 11 June 2020

[Mining Weekly](#): Creamer T “Glencore says will cooperate with investigation by Swiss” 20 June 2020

[Mining Weekly](#): Slater D “DRC mines require increasing renewable energy sources for development” 19 June 2020

[Mining Weekly](#): Bulbulia T “Glencore human rights report showcases progress” 19 June 2020

- **Water, waste, oceans and chemicals**

[News24](#): “Sudan wants PMs to solve Nile dam deadlock” 18 June 2020

[allAfrica](#): “Ethiopia: Nile Dam Talks - A Short Window to Embrace Compromise” 17 June 2020

[BusinessLive](#): Taylor L “People living illegally in Uganda’s protected zones around lakes face eviction” 11 June 2020

- **Miscellaneous**

[Lexology](#): “Why the green economy is important to Ghana - and how certification marks contribute to it” 11 June 2020

[Lexology](#): “Time for Environmental Taxation in Nigeria?” 16 June 2020

[Lexology](#): ENS “Africa Business in Brief - Issue 354 | 31 May 2020

[Bizcommunity](#): Stanford D and Bah A “African tourism has been put on ice by coronavirus - here's how some countries are reviving it” 19 June 2020

[LnkdIn](#): IAWL: Institute for African Women in Law

International

- **Biodiversity, national parks and culture**

[Extractives Baraza](#): “Aboriginal Heritage Concerns May Force Mining Act Change” 16 June 2020

[The Guardian](#): Lambertini M, Mrema EM and Neira M “Coronavirus is a warning to us to mend our broken relationship with nature” 17 June 2020

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[Mongobay](#): “For forest communities without a legal footing, new guideline is a starting template” 10 June 2020 [IAIA Newsletter 19 June 2020]

[Lexology](#): “U.S. Supreme Court Reverses Fourth Circuit, Holds U.S. Forest Service Has Authority to Grant Right-of-Way Beneath Appalachian Trail” 16 June 2020

[Lexology](#): “Reversing the Fourth Circuit, US Supreme Court Finds Forest Service Can Lease Land Under Park Service Trails” 16 June 2020

Thomas Reuters [Foundation](#): Lopez O and Murray C “‘Party’ ahead for illegal loggers? Mexico’s national parks in doubt with cuts” 11 June 2020

Thomas Reuters [Foundation](#): Taylor M “Cash payments to cut poverty in Indonesian villages help forests too” 12 June 2020

[The Guardian](#): Cecco L “Canadian conservation officer fired for refusing to kill bear cubs wins legal battle” 11 June 2020 [Legalbrief Environmental 16 June 2020]

[Lexology](#): “Endangered Species Laws Given Broad Reading in Recent Decisions” [Canada] 11 June 2020

[The Independent](#): Baynes C “Wildfires cause songbird ‘dialect’ to change” [USA] 17 June 2020

[The Guardian](#): Phillips D “‘We are facing extermination’: Brazil losing a generation of indigenous leaders to Covid-19” [Brasilia] 21 June 2020

[The Guardian](#): “Endangered smoky mouse, feared wiped out during bushfires, found alive in Kosciuszko national park” [Australia] 21 June 2020

- **Climate change and energy**

[NYR Daily](#): Glickman W “New York’s Rising Tides: Climate Inequality and Sandy’s Legacy” 14 June 2020

[IISD](#) SDG Knowledge Hub: Wagner L “Momentum for Climate Change Discusses NDCs, Sustainable Recovery” 16 June 2020

[Lexology](#): “CORSIA Updates: Baseline Decision Imminent and New Offset Programs in the Works” [USA] 9 June 2020

[Extractives Baraza](#): “Climate Change: Oil and Gas Sector ‘to Halve Emissions by 2030’”

[Lexology](#): “New York Proposes Regional Greenhouse Gas Changes” 17 June 2020

[IISD](#) SDG Knowledge Hub: Gordon-Harper G “UNFCCC Launches [Website](#) to Mobilize Santiago Network on Loss and Damage” 18 June 2020

[Kingdom of the Netherlands](#): “Joint political declaration of the Pentalateral Energy Forum on the role of hydrogen to decarbonise the energy system in Europe” 15 June 2020

[Lexology](#): “Bundesregierung beschließt Nationale Wasserstoffstrategie” 10 June 2020 [National government of Germany adopts a National Hydrogen Strategy]

[The Independent](#): Cockburn H “Global energy provided by clean sources matches coal for first time, analysis reveals” 20 June 2020

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[The Guardian](#): McKie R “Britain still failing on climate crisis, warn advisers” 21 June 2020

[BBC](#): Veal L “How Iceland is undoing carbon emissions for good” 17 June 2020

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- **Environmental enforcement**

[Lexology](#): “Upcoming Deadlines Impacting EPA Guidance Policies” [USA] 15 June 2020

[Environmental Health News](#): Pellow D “Considering the phenomenon of environmental injustice as a form of criminalization” 10 June 2020 [IAIA Newsletter 19 June 2020]

[Lexology](#): “CTIA Sues Kentucky 911 Services Board; California CCPA Final Regulations; Infrastructure Executive Order; Lifeline Temporary Waiver for Rural Tribal Areas; June Open Meeting — Vol. XVII, Issue 23” 8 June 2020

[Lexology](#): “High Court quashes screening direction which relied on assumptions about the environmental effect of proposed development” [UK] 6 April 2020

[Lexology](#): “President Trump Issues Executive Order Directing the Expedition of NEPA Reviews” 16 June 2020

[Lexology](#): “Taking the long-term view: ‘Phoenix rising? COVID-19’s impact on the sustainability agenda” [EU] 15 June 2020

[Lexology](#): “Temporary changes to consultation requirements for planning applications – Coronavirus” [UK] 11 June 2020

[Lexology](#): “Inside track: Planning, Environment & Sustainability” [Australia] 10 June 2020

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- **Local government**

[Thomas Reuters Foundation](#): Biron CL “Protests, pandemic pile pressure on U.S. public space” 11 June 2020

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IIED's Make Change Happen [podcast](#): “Reimagining refugee futures: cities, not camps? Make Change Happen podcast episode” 19 June 2020

[Lexology](#): “County of San Diego’s Latest Effort to Adopt an Adequate Climate Action Plan Fails” 17 June 2020

[ICLEI](#): “2020 Desertification and Drought Day: How small, sustainable communities can nourish food, water and land” June 2020

ICLEI City [Talk](#): Hintz J “How Rotterdam and Buenos Aires use procurement to contribute to the global clean energy transition” 15 June 2020

[ICLEI](#): “226 South Korean local governments declare Climate Emergency and call for climate neutrality by 2050” 5 June 2020

[ICLEI](#): “ICLEI Innovation to select Brazilian startups to support sustainability in local public management” June 2020

[ICLEI](#): ICLEI-RUAF CITYFOOD Network in Africa

- **Mining**

[Lexology](#): “In brief: natural gas production in Denmark” 10 March 2020

At a glance: oil exploration and production in Faroe Islands” 11 June 2020

[Lexology](#): “At a glance: oil exploration and production in Ecuador” 11 June 2020

[Lexology](#): In brief: natural gas production in Croatia” 10 March 2020

[Lexology](#): In brief: natural gas production in Brazil

[The Independent](#): Cockburn H “Climate crisis: ‘Fracking is over’ in UK, energy minister says” 19 June 2020

[Sydney Morning Herald](#): Toscano N and Grieve C “Rocked to the core: Mining giants confront an ancient, incalculable risk” 20 June 2020

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[Lexology](#): “At a glance: oil exploration and production in Greenland” 11 June 2020

- **Water, oceans, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Wagner L “UN-Water Prepares to Launch SDG 6 Accelerator” 16 June 2020

[IISD](#) SDG Knowledge Hub: Mead L “SAICM Reviews Participation in Decision Making on Chemicals” 16 June 2020

[Lexology](#): “Proposed Controversial California Vapor Intrusion Guidance Threatens to Hinder Redevelopment” 17 June 2020

[IISD](#) SDG Knowledge Hub: Mead L “IPEN Studies Evaluate SDG Links with Pesticide Trends in Eastern Europe” 18 June 2020

[Lexology](#): “Activist Lawsuit Results in EPA’s Nationwide Cancellation of Dicamba Approval Leaving Farmers in the Lurch” 12 June 2020

[Lexology](#): “Long Island Water Districts’ 1,4-Dioxane Lawsuits Survive Motion to Dismiss” 11 June 2020

[Lexology](#): “Legal remedies for citizens affected by the encroachment of water bodies” [India] 15 June 2020

[Lexology](#): “Mercurial Mercury Reporting: A Second Circuit Story” [USA] 11 June 2020

[Lexology](#): “New EU regulations on minimum water reuse requirements: A step towards the Circular Economy in the area of Water Resources” 15 June 2020

[CleanEnergyWire](#): Wehrmann B “‘Grey energy’ from reusing building materials could significantly reduce waste, study says” 19 June 2020

[CleanEnergyWire](#): Dziadosz A “New controversial nuclear waste shipments from Germany to Russia approved” 19 June 2020

- **Miscellaneous**

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[World Bank](#): Open Learning Campus

[Science](#): Mann A “Baby planets are born exceptionally fast, study suggests” 16 June 2020

[Lexology](#): “Submissions due on the COVID-19 Recovery (Fast-track Consenting) Bill” [New Zealand] 17 June 2020

[IISD](#) SDG Knowledge Hub: Sacande M and Vähänen T “Why We Need a “New Normal” for Production and Consumption” 17 June 2020

[IAIA](#): Fastips No. 21: Convention on Environmental Impact Assessment in a Transboundary Context (June 2020)

[Lexology](#): “New ASEA guidelines for dismantling hydrocarbon sector activities” [Mexico] 15 June 2020

[Lexology](#): “Sulphur emissions in Northern Europe: Five years on, June 2020” 11 June 2020

[BBC](#): Amos J “One-fifth of Earth's ocean floor is now mapped” 21 June 2020

[BBC](#): Pullella P “Pope says coronavirus should spark new environmental awareness” 21 June 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club Session 2: Rotten (Episode 1, Season 1) Episode 1, Season 1, Lawyers, Guns and Honey

Date: Tuesday, 30 June 2020

Time: 19:00 SA time

After the success of our first ELA Streaming Club get together, the ELA Streaming Club is excited to host their second event on Tuesday, 30 June 2020 at 19h00 (CAT). Stream in your home, via Netflix, episode 1, titled ‘Lawyers, Guns and Honey’ (54 mins) of season 1 of *Rotten*, a docuseries that ‘travels deep into the heart of the food supply chain to reveal unsavoury truths and expose hidden forces that shape what we eat’. A Zoom discussion will follow directly after the episode from 19h55. Contact us via [FB messenger](#) for the Zoom meeting details.

One reviewer of *Rotten* states: ‘It’s not as much an assault on our diets as much as an eye-opening examination into the business of food production and the corporate and criminal malfeasance that is a part of the multibillion-dollar food industry’ –Tom Roston, *Salon*.

Contact Dr [Melanie Murcott](#) for the link or contact us via Facebook.

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 31 July 2020

More information will follow

The call for papers emailed separately.

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: 31 July 2020

Place: Virtual

The call for papers emailed separately.

ELA Streaming Club during lockdown and possibly even beyond

Date and time, Last Tuesday of the month, 19:00-21:00 (CAT)

During lockdown ELA members and friends are invited to engage in discussion and thought on pressing environmental issues through the joy of film and documentaries.

How it works:

Each month, a film or documentary will be selected by the ELA for streaming in the comfort of your home on the last Tuesday of the month at 19:00 followed by a Zoom discussion directly after the film or documentary.

During the streaming, members and friends of the ELA are invited to comment on our Facebook event for live discussion about the film.

After the streaming, members and friends of the ELA are invited to participate in a Zoom discussion about the film, chaired by an ELA executive member, which will include guests with specialised knowledge related to the film or documentary. For further details, check out our events on our Facebook page.

NWU CLES: First online Critical Conversation: The City and Access to Tertiary Education from the Perspective of Law

Date: 25 June 2020

Date: 14:00 - 16:00

Speakers Prof Klaus Beiter and Mr Ngwako Raboshakga of NWU

Prior registration is however required.

RSVP by 23 June 2020 [here](#)

Or email: [Nicolene Steyn](#) / [Maricéle Botes](#)

Upon registration, we will provide you with the necessary details to join the conversation via Zoom.

Wits: Mining for Development: The Taxation Linkage – e-learning course

Date: commences 13 July 2020

More [information](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

ICLEI Webinar: Systems approaches to food and nutrition security and urban resilience: Lessons from Cape Town and Kumasi

As part of the Inclusive Metabolism project, researchers and city officials from Cape Town, South Africa, and Kumasi, Ghana, share their perspectives on how improving food systems can have wider socio-economic benefits for society, building resilience to shocks. This webinar will also share an update on the ongoing #hiddenflows photography project, which is currently focusing on food in African cities.

Date: 23 June 2020

Time: 02:00 PM in [Amsterdam, Berlin, Rome, Stockholm, Vienna](#) (check your [local time](#))

International

IAIA Webinar: Coronavirus and the energy transition in BASIC countries

What are the impacts of Coronavirus on the energy sector in emerging economies? How are governments responding to these impacts – and where does this leave the transition to renewable energy? Join our Webinar on June 22nd to discuss these questions and more with experts on Brazil, South Africa, India and China.

Date: Monday, 22 June 2020

Time: 11:00-12:00 CET

Register [here](#)

Webinar on Powering WASH - Renewable Energy for Water Supply in Humanitarian settings

This webinar will address the need and relevance of reliable renewable energy for Water, Sanitation and Hygiene (WASH) in humanitarian settings.

When: 23 June, Wednesday

Time: 2:30 pm CEST (check your [local time](#))

Register [here](#)

This webinar is part of the webinar series “[Sustainable Energy in Humanitarian Settings](#)”. Read [more](#)

New IAIA Webinar: Compliance and Enforcement of Impact Assessment (EsIA) Requirements, Commitments and Related Permit Conditions

Date: 24 June 2020

Time: 9:00 AM to 10:30 AM EDT / 15:00 to 16:30 SAST / 20:00 to 21:30 GMT+7

[Registration](#)

RFF-CMCC-EIEE Webinar: The impacts of the COVID-19 lockdown on air pollution in Lombardy

Date: 30 30 June 2020

Time: 3.00 pm - 4.00 pm CEST

According to economics and medical science literature, health issues are connected to airborne pollutants. However, the complex natural processes underlying this phenomenon are often a drawback for policymakers in designing and implementing interventions aimed at reducing air pollution in urban areas (e.g. traffic restrictions). The complete lockdown which followed the COVID-19 outburst in Italy – during which both people movements and the economy were almost frozen – provides a unique natural experiment to assess the relations existing between local air pollution and different emission sources. This study used machine learning methods to estimate the change in concentrations for major pollutants induced by the lockdown in Lombardy and shows that the lockdown reduced concentrations of nitrogen oxides (NO_x), but not fine particulate matter (PM 2.5). This is consistent with the reduction in road traffic, but small changes in emission from building heating. Authors then computed the estimated life-years saved due to the improved air quality.

For further information, please visit the [webinar web page](#) or [email](#) the organisers
How to Participate: The seminar will be broadcasted via Go-to-Webinar.

Click on the [link](#) for registration:

Florence School of Regulation: Electric Vehicles: A Power Sector Perspective - 5 Week Online Course

This specialised 5-week online course is specifically designed for professionals who wish to address the power sector challenges posed by the ever-growing number of EVs on a global scale, namely:

ensuring the deployment of the charging infrastructure required to serve the needs of the ever-growing number of EVs

integrating EVs into the power system securely and efficiently

Join FSR Global and experts from around the world to dive into the policy and regulatory frameworks, as well as the business models supporting the development of EVs in Europe, USA, Latin America, and Asia!

Learn more [here](#)

IAIA21: Smartening Impact Assessment in Challenging Times

Date: 18-21 May 2021

Place: Seville, Spain.

Session proposals from IAIA20 will be carried over, but we will also be accepting new proposals to replace those sessions that have had to withdraw. **Submissions for session proposals are open now through 13 July**

More [information](#)

IAIA: Virtual Conference Our Interconnected World: Impact Assessment, Health, and the Environment

Date: 5-8 October 2020

More [information](#)

IAIA-INECE co-sponsored webinar: Compliance and Enforcement of Impact Assessment (EsIA) Requirements, Commitments and Related Permit Conditions.

Date: 24 June 2020

More [information](#)

ESDEIC: 2nd Green and Circular Economy, Sustainable Development and Energy International Conference

Date: 26-27 November 2020. (Online) Lisbon, Portugal

More [information](#)

ICISS2020: 3rd Scopus-Indexed IEEE International Conference on Intelligent Sustainable Systems

Date: 3-5 December 2020

Place: Coimbatore, India

More [information](#)

NEWS

National

- **Biodiversity, protected areas, animal rights and culture**

Keeton C “Shark survival under review by panel” [TimesLive](#) 20 June 2020

- **Climate change and energy**

Quintal G “Central Energy Fund starts process for single national petroleum company” [BusinessDay](#) 16 June 2020 [Legalbrief 17 June 2020]

Yeld J “Breezy proposal for mothballed Saldanha Steel” [Daily Maverick](#) 9 June 2020 [Legalbrief Environmental 9 June 2020]

Mutandiro K “Eskom warns that residents who ‘bridge’ electricity will remain in the dark” [GroundUp](#) 19 June 2020

Burkhardt P “SA begins new nuclear plan with information request” [IOL](#) 15 June 2020

Maqanda V “Modular or not, nuclear power would be too expensive for SA” [BusinessLive](#) 20 June 2020

Finance: Eskom struggling to recover billions from dodgy deals

“Eskom is taking legal steps to recover more than R7bn lost in dodgy deals, but has managed to recover only R174m to date, chief executive André de Ruyter told MPs last night. According to a Beeld report, De Ruyter told a sitting of Parliament’s Scopa that Eskom had not received any of the R600m it is claiming from Trillian or any of the R5bn claimed from Tegeta. Eskom and SARS have both applied for the liquidation of Trillian and De Ruyter said it was uncertain how much Eskom would be able to recover as SARS was the preferential creditor. In the Tegeta matter, in which the High Court had declared the R5bn contract invalid, Eskom expects to recover only R1.24bn, De Ruyter said. Some of the other attempted recoveries include R207m from Deloitte for contracts in 2016. The parties settled and Deloitte paid R171m. Eskom is claiming R95m from PwC and has sent a letter

of demand, but cannot issue summons due to the lockdown. Eskom also instructed its lawyers to 'fully recover all fees' for all contracts paid to Impulse International. Former Eskom boss Matshela Koko's stepdaughter was a non-executive director of this company which obtained tenders worth more than R1bn." Full Beeld report (subscription needed) Legalbrief 19 June 2020

Energy: 'Transparent process' to test market nuclear interest

"The Department of Energy said its call to the market for interest in 2 500MW of new nuclear generation capacity would be 'fully transparent' and take account of all options, notes a Business Day report. The request for information (RFI) issued on Sunday took many by surprise as no commitment was made to construct new nuclear power in the Integrated Resource Plan (IRP). But the IRP made proposals for the commissioning of new energy capacity only until 2020, due to the high amount of uncertainty and change in the energy market. As the IRP should also be updated every two years, government officials believe the scope for a new nuclear build in the future still exists as nuclear energy is included in SA's policy 'energy mix'. Deputy DG in the Department of Energy Zizamele Mbambo said the RFI was entirely consistent with the IRP and the government was acting to obtain information needed for long-term energy planning. 'We are starting a new process. We are opening all options and will take a decision. It will be a very open and transparent process,' Mbambo said. Proposals on two options are called for: pressurised water reactors – such as the two at the Koeberg power station – and small modular reactors, which are still in development and have not yet been commercialised. In addition to the technology specifications, vendors are asked to provide information on contracting, financing and ownership models."

Full Business Day report (subscription needed) Legalbrief 17 June 2020

Energy: MP questions electricity regulation amendments

"The Western Cape Provincial Government has questioned the effectiveness of Energy Minister Gwede Mantashe's draft amendments to electricity regulations, allowing for municipalities to establish self-sufficient electricity generation capacity. According to a Cape Argus report, the regulations permitting municipalities to apply to Mantashe to establish new generation capacity were published in May. Finance and Economic Opportunities MEC David Maynier said: 'While we support the intent of these regulations, the proposed amendments and lead times to the development of new generation capacity don't go far enough to address the electricity crisis that SA may soon again be facing. While Eskom has assured us there will be minimal load shedding in June, as the restrictions on the economy eases, the electricity crisis is not behind us. Allowing new generation capacity to come online as soon as possible is critical to an energy secure future.'"

Full Cape Argus report (subscription needed) Legalbrief Environment 16 June 2020

- **Environmental enforcement**

Retief C "Arrested waste pickers languish in Tshwane jail" [Daily Maverick](#) 9 June 2020 [Legalbrief Environmental 16 June 2020]

- **Mining**

Khumalo S "Junior miners fight for survival in coronavirus storm" [fin24](#) 18 June 2020

Litigation: Mining subsidiary denies targeting activists

“Australian mining company Mineral Resources Commodities (MRC), and its local subsidiary, Mineral Sands Resources (MSR), have denied trying to silence six environmental activists. During a landmark hearing of the special pleas and exceptions in the Strategic Litigation Against Public Participation suit brought against the six, MSR said the pleas did not give rise to a defence in SA law. In response, the lawyers for the defendants argued that the exceptions should be dismissed, ‘either on the basis of existing common law or the common law as developed’. The Cape Argus reports that Advocate Jan de Waal for MRC referred to case law that shows that defamation proceedings can be used to deter conduct and defamatory statements, and said MRC was suing for an apology.”

Full Cape Argus report Legalbrief Forensic 18 March 2020

- **Water, oceans, waste and chemicals**

Grobler R “Human Settlements, Water and Sanitation dept lays criminal charges against former board CEOs” [News24](#) 20 June 2020

Odendaal N “DWS promises 90-day water-use licensing process” [Mining Weekly](#) 19 June 2020

Bulbulia T “New amendments provide greater protection regarding chemical disinfectants, says Industroclean” [Mining Weekly](#) 19 June 2020

- **Miscellaneous**

Ensor L “Fundamental budget changes needed to avoid a sovereign debt crisis, Mboweni warns” [BusinessDay](#) 18 June 2020

Sqauzzin A “UN human rights envoy asks to join case over Eskom, Sasol air pollution” [News24](#) 15 June 2020

General: Officials implicated in R255m asbestos roofs tender

“Senior Free State Human Settlements officials face arrest following Public Protector Advocate Busisiwe Mkhwebane’s finding that they were responsible for the misuse of R255m of taxpayers’ money. The Mercury reports Mkhwebane has now urged the NPA to prosecute the officials and the Special Investigating Unit (SIU) to set in motion plans to recover the funds from all of them and other beneficiaries. Mkhwebane’s directive came after she instituted an investigation into the awarding of a contract for the eradication of asbestos roofs on several houses in the Free State in 2014. The complaint was about the provincial Human Settlements Department’s payment of R255m to a Gauteng consulting company to remove deadly asbestos roofs from homes in Bloemfontein. Detailing action to be taken, Mkhwebane said: ‘A copy of this report has been provided to the NDPP in terms of the Public Protector Act to notify her that I am of the opinion that the facts disclose a commission of an offence. A copy was also provided to the head of the SIU to investigate the possibility of the recovery of any fruitless and wasteful expenses in terms of the proclamation issued by the President.’”

Full report in The Mercury (subscription needed) Legalbrief 18 June 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Catling L "Poachers murder one of the world's most famous gorillas: Bush-meat hunters face life in prison after stabbing Rafiki, 25, to death" [MailOnline](#) 12 June 2020

Spring J "Exclusive: European investors threaten Brazil divestment over deforestation" [Reuters](#) 19 June 2020

Bloomberg A "Federal appeals court rules in favor of ranch owner in dinosaur fossil case" [The Jurist](#) 18 June 2020

"In midst of pandemic, East Africa braces for another locust invasion" [TimesLive](#) 19 June 2020

Dalton J "Albanian restaurant serves bear meat in illegal wildlife trade that's 'out of control'" [The Independent](#) 17 June 2020

Boyle L "Conservationists celebrate as Senate passes landmark \$9.5bn 'Great Outdoors' bill" [The Independent](#) 18 June 2020

Boyle L "Threatened species are 'laundered' in Japan's exotic pet trade, study finds" [The Independent](#) 20 June 2020

Boyle L "Human exploitation of nature is driving pandemics like coronavirus, say UN and WHO" [The Independent](#) 18 June 2020

Beament E "Under-threat jaguar population believed to have doubled in South American forest" [The Independent](#) 18 June 2020

Foley M "Koala recovery plan five years overdue as populations are 'smashed'" [Sydney Morning Herald](#) 21 June 2020

"Namibia faces red locust invasion" [Reuters](#) 17 June 2020

"Amazon forest fires could increase risk of serious coronavirus infections" [Reuters](#) 17 June 2020

- **Climate change and energy**

Carrington D "Climate crisis: alarm at record-breaking heatwave in Siberia" [The Guardian](#) 17 June 2020

"EU aims for 40 GW of clean hydrogen capacity by 2030 -leaked draft" [Carbon Pulse](#) 19 June 2020

Hill JS "Goldman Sachs predicts \$A23 trillion renewables investment opportunity by 2030" [Renew Economy](#) 19 June 2020

"EU parliament sets UK ETS agreement conditions" [Argus](#) 18 June 2020

"Registratie-eis voor particuliere rekeningen in CO₂-register" [NEA](#) 17 June 2020
[The Netherlands has introduced an additional risk-mitigating measure for its emissions trading register.]

“European University Institute and EIB launch new Climate Chair” [Devdiscourse](#) 18 June 2020

“Pension funds face pressure from all sides over attempts to go green” [Politico](#) 19 June 2020

“Danish conservatives press on government to set carbon tax despite virus concerns” [Carbon Pulse](#) 18 June 2020

“Mexico’s Jalisco to implement carbon tax in 2021” [Carbon Pulse](#) 18 June 2020

Wiltshire L “\$15 million given to Wellington’s port to cut emissions” [New Zealand] [Stuff](#) 18 June 2020

“Briefing: EU’s carbon-backed green recovery plan faces crunch test” [Carbon Pulse](#) 17 June 2020

“Global energy emissions growth sees dip in 2019 as coal’s role fades –BP” [Carbon Pulse](#) 17 June 2020

“Dow sets targets to reduce GHG emissions, stop plastic waste, and drive toward a circular economy” [Yahoo News](#) 17 June 2020

“Brussels to take longer to assess national climate plans after tardy responses” [Carbon Pulse](#) 16 June 2020

“Ireland’s carbon tax to rise further under new coalition government” [Carbon Pulse](#) 15 June 2020

“Italian glacier covered to slow melting” [News24](#) 20 June 2020

“Italian team covers glacier with giant white sheets to slow melting” [The Guardian](#) 21 May 2020

Cockburn H “Climate crisis: Antarctica’s Weddell Sea lost area of ice twice the size of Spain over last five years” [The Independent](#) 18 June 2020

Cockburn H “Climate crisis: UK’s record coal-free power run comes to an end” [The Independent](#) 18 June 2020

Carrington D “Climate emission killer: construction begins on world’s biggest liquid air battery” [The Guardian](#) 18 June 2020

Morton A “Chief scientist joins calls for Australia to dramatically boost energy efficiency” [Guardian](#) 20 June 2020

Morton A “Marinus Link could send clean energy across Bass Strait, but the case for it is uncertain” [Australia] [The Guardian](#) 19 June 2020

Kelly S “U.S. EPA receives 52 new petitions for retroactive biofuel blending waivers” [Reuters](#) 18 June 2020

Groome N “Special Report: Millions of abandoned oil wells are leaking methane, a climate menace” [Reuters](#) 16 June 2020

- **Local government**

Baynes C “Half of world's population exposed to increasing air pollution, study finds” [The Independent](#) 17 June 2020

Chatterton P “The vision of a sustainable urban future has become reality” [The Independent](#) 18 June 2020

Holden E “Wood heaters too dirty to sell are clean enough to give to tribes, says EPA” [The Guardian](#) 18 June 2020

- **Mining**

“India eyes private investment to open 41 new coal mines” [Climate Home News](#) 19 June 2020

“China Likely to Ease Coal Mine Closures to Meet Rising Needs” [Bloomberg](#) 15 June 2020

Parkinson G “Iron ore giant Fortescue sets zero emissions target for 2040, eyes more renewables” [Australia] [Renew Economy](#) 16 June 2020

Monti A “Range Resources pleads no contest to fracking-related environmental crimes” [The Jurist](#) 16 June 2020

Clowell W “Clean-up of oil spills in Nigeria lacks progress” [IOL](#) 20 June 2020

“Aboriginal group goes to court against Australian state over mining area” [Mining Weekly](#) 19 June 2020

Iannucci E “Rio launches internal review into Aboriginal cave disaster” [Mining Weekly](#) 19 June 2020

Iannucci E “New mine rehab Bill before Qld Parliament” [Mining Weekly](#) 19 June 2020

Iannucci E “Victorian onshore gas production green lit” [Mining Weekly](#) 19 June 2020

- **Water, waste, oceans and chemicals**

“Oregon Appeals Court Confirms Water Rights for Hydroelectric Power” [Lexology](#) 15 June 2020

“Calls for Treaty on Marine Litter Continue During World Oceans Week” [Lexology](#) 12 June 2020

Holden E “Trump administration will not regulate rocket fuel chemical in drinking water” [The Guardian](#) 18 June 2020

Foley M “Federal Water Minister critical of NSW, Victoria over push to delay Basin plan” [Sydney Morning Herald](#) 21 June 2020

“Putin calls fuel spill unprecedented for Russia, Greenpeace sees \$1.4 billion damage” [Reuters](#) 19 June 2020

- **Miscellaneous**

Abnett A and Jessop S “EU lawmakers back green finance rules, urge use in COVID recovery fund” [Reuters](#) 18 June 2020

Ndebele L “Zimbabweans reject proposed constitution amendments” [TimesLive](#) 19 June 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

University of Cape Town: Professor/Associate Professor in Private law (Equity position)

Closing date: 15 July 2020

More [information](#)

University of Cape Town: Lecturer/Senior Lecturer in Private Law (preferably Equity position)

Closing date: 15 July 2020

More [information](#)

International

UNDP for the role of Programme Specialist (P3) within the ACP-EU Development Minerals Programme

The due date for applications is the 24th of June and further details can be found [here](#).

Marie Skłodowska-Curie Individual Fellowships 2020 at Fondazione Eni Enrico Mattei

Internal deadline: June 28th, 2020 (extended deadline)

Following its long time tradition of successful international post-graduate and doctoral training, FEEM supports Marie Skłodowska-Curie Individual Fellowship applications.

For the current MSCA European Fellowships call, FEEM is interested in receiving proposals in the area of:

1. Macroeconomic and micro models for assessing the impact of water management investment under technological progress and climate change uncertainty in developing and African countries
2. Micro and/or macroeconomic models to assess the Water-Energy (and Food) nexus in an uncertain framework
3. Decarbonization, renewable resources: microeconomic models for evaluating investments in condition of uncertainty
4. Spatial econometric analysis of urban transformation, their socio-economic determinants and the consequences for the environment and the quality of life of urban citizens
5. Integrated energy and macroeconomic models for sustainable development of African countries
6. Measuring trade-offs and synergies between and among SDGs and targets of the Agenda 2030

7. Open/Big Data and Citizen Science methods for monitoring, understanding and modelling coupled human-water systems
8. Multi-disciplinary investigations on African floodplains (earth, environmental and hydrological sciences, etc.; social sciences and humanities etc) and their trans-sectorial value for addressing water and societal challenges
9. Financing the Global Energy Transition
10. Transport in sub-Saharan Africa: analysis and modelling of future pathways
11. Sustainable development strategies for contrasting emerging human infectious diseases
12. Water scarcity as a driver of food and energy insecurity in global change (climate; land use; demographic etc.) perspective
13. Decarbonisation scenario for the energy sector: how far we can push our ambitions to be coherent with current technological limitations? Deep insight from evidence based research and modelling (in collaboration with Eni Spa)
14. Challenges and opportunities for advanced biofuels for the European road transport (in collaboration with Eni Spa)

FEEM offers a truly international and multi-disciplinary workplace. Thanks to a world-wide research network you will be involved in a continuous fruitful exchange of experiences.

Eligibility criteria

1. Candidates must be in possession of a doctoral degree or have at least four years of full-time equivalent research experience at the deadline (09/09/2020) for the submission of proposals to the European Commission
2. Eligible researchers can be of any nationality and must not have resided or carried out their main activity (work, studies, etc.) in Italy for more than 12 months in the 3 years immediately before the call deadline (09/09/2020).

Application

If you meet the eligibility criteria and are interested in exploring the opportunities offered by the Marie Skłodowska-Curie Actions to work at FEEM, please submit your application on-line through the FEEM web [platform](#) any time before June 28th, 2020 (internal extended deadline), sending:

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.



A Public Benefit Organisation



ELA NEWSLETTER 26

26 June 2020

Level 3 Lockdown

The economy is opening up – the spread of infection is spiralling.

Keep safe and keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club.

BILLS

Division of Revenue Amendment Bill, 2020 [B9-2020]

Adjustments Appropriation Bill, 2020 [B10-2020]

Disaster Management Tax Relief Bill, 2020 [B11-2020]

Disaster Management Tax Relief Administration Bill, 2020 [B12-2020]

ACTS

Division of Revenue Act 4 of 2020 - GG 43467 of 23 June 2020 – commenced 23 June 2020

Appropriation Act 7 of 2020 - GG 43468 of 23 June 2020 – commenced 23 June 2020

Protection Of Personal Information Act 4 of 2013 - Proc R21 in GG 43461 of 22 June 2020 – ss 2-38, 55-109, 111 and 114(1)-(3) commence 1 July 2020 and ss 110 and 114(4) commence 30 June 2020

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN 697 in GG 43460 of 19 June 2020 - Mineral Resources and Energy Directions to provide for the continuous supply of energy and petroleum products to society and allow maintenance and construction work for energy projects
- GN 698 in GG 43463 of 22 June 2020 - Directions for correctional centres and remand detention facilities published and GN 460 in GG 43225 of 9 April 2020 withdrawn
- GN R696 in GG 43459 of 19 June 2020 - Directions to provide protocols to mitigate and manage the COVID-19 outbreak amongst employees and customers in the personal care services industry

- Gen Notice 343 in GG 43465 of 23 June 2020 - Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published and GenN 302 in GG 43372 of 29 May 2020 withdrawn
- GN R716 in GG 43479 of 26 June 2020 - Health directions regarding measures to address, prevent and combat the spread of COVID-19 published in GN 457 in GG 43217 of 8 April 2020 amended

NOTICES

Hazardous Substances Act 15 of 1973 - GN R722 in GG 43485 of 26 June 2020 - Exemption of authorised licensed medical device establishments selling electronically controlled ventilators (a Group III hazardous substance) for use in the Republic from the provisions of s. 3 (1) (b) of Act for a period not exceeding 18 months from the date of signature

Disaster Management Act 57 of 2002 - GN 714 in GG 43476 of 25 June 2020 - Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended

Electricity Act 41 of 1987 - GN 708 in GG 43474 of 26 June 2020 - Licence fees payable by licensed generators of electricity for the period 1 April 2020 to 31 March 2021

Constitution of the Republic of South Africa, 1996 - Proc 22 in GG 43474 of 26 June 2020 - Transfer of administration and powers and functions entrusted by legislation to certain cabinet members

Marine Living Resources Act 18 of 1998 - GN 715 in GG 43477 of 26 June 2020 - Notice review of the General Policy on the Allocation and Management of Commercial Fishing Rights: 2013 ('the General Policy'), the Policy on the Transfer of Commercial Fishing Rights: 2009 ('the Transfer Policy'), the Policy on the Allocation and Management of Rights to operate Fish Processing Establishments: 2015 and the various policies for the Allocation and Management of Commercial Fishing Rights ('the Sector-Specific Policies') and to invite applications for fishing rights, commencing on 1 February 2021 until 2 April 2021 and commence with the Fishing Rights Allocation Process (FRAP) and adjudication thereof with effect from 17 May 2021 until 30 November 2021

Marine Living Resources Act 18 of 1998 - GN 704 in GG 43474 of 26 June 2020 - Application for proposed new sea-based abalone ranching area, Doring Bay, Western Cape - for comment

Public Finance Management Act 1 of 1999 - GNs 709 & 710 in GG 43474 of 26 June 2020 - Borrowing powers of Mhlathuze Water and Rand Water

International Trade Administration Act 71 of 2002 – Gen Notice 345 in GG 43470 of 25 June 2020 - International Trade Administration Commission of South Africa (ITAC) - Proposed Guidelines, Rules and Conditions Pertaining to Certificates Issued under Paragraph (a) of Rebate Item 412.11/00.00/01.00 for Goods

Imported for the Relief of Distress of Persons in Case of Famine or Other National Disaster ('Amended Guidelines') - for comment

National Environmental Management: Integrated Coastal Management Act 24 of 2008 - GN 705 in GG 43474 of 26 June 2020 - Draft Amendments to the National Estuarine Management Protocol - for comment

National Environmental Management: Waste Act 59 of 2008 - GN 717 in GG 43480 of 26 June 2020 - Proposed Extended Producer Responsibility Scheme for the Lighting Sector - for comment

National Environmental Management: Waste Act 59 of 2008 - GN 718 in GG 43481 of 26 June 2020 - Proposed Extended Producer Responsibility Regulations, 2020 - for comment

National Environmental Management: Waste Act 59 of 2008 - GN 719 in GG 43482 of 26 June 2020 - Proposed Extended Producer Responsibility Scheme for Paper, Packaging and Some Single Use Products - for comment

National Environmental Management: Waste Act 59 of 2008 - GN 720 in GG 43483 of 26 June 2020 - Proposed Extended Producer Responsibility Scheme for the Electrical and Electronic Equipment Sector - for comment

Financial Markets Act 19 of 2012 - BN 68 in GG 43462 of 22 June 2020 - Notice of amendments to the JSE Debt Listings Requirements published with effect from 30 days after publication

PROVINCES

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 20235 in PG 8254 of 26 June 2020 - Swellendam Municipality - Integrated Zoning Scheme By-law

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20236 in PG 8256 of 26 June 2020 - Knysna Local Municipality - Spatial Development Framework (2020)

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20239 in PG 8256 of 26 June 2020 - City of Cape Town Metropolitan Municipality - Members of the Municipal Planning Tribunal published with effect from 1 July 2020

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 13 of 2014 - LAN 20242 in PG 8256 of 26 June 2020 - Breede Valley Local Municipality - Spatial Development Framework (SDF) 2019

Western Cape Land Use Planning Act 3 of 2014 - LAN 20246 in PG 8256 of 26 June 2020 - Knysna Local Municipality - Adoption of a zoning scheme map

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 107 in PG 4416 of 22 June 2020 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions for a further month

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 39 in PG 2190 of 25 June 2020 - City of uMhlathuze Local Municipality - Public Transport By-law

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 31 in PG 3167 of 26 June 2020 - City of Mbombela Local Municipality - Correction notice - Spatial Planning and Land Use Management By-law, 2019[sic] as published under Proc 9 in PG 3128 of 14 February 2020 published with effect from 1 July 2020

Free State

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 10 in PG 9 of 26 June 2020 - Masilonyana Local Municipality - Spatial Development Framework (SDF), 2020

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 11 in PG 9 of 26 June 2020 - Masilonyana Local Municipality - Land Use Scheme (LUS), 2020

CASES

National

Fair-Trade Independent Tobacco Association v President of the Republic of South Africa and Another (21688/2020) [2020] [ZAGPPHC](#) 246 (26 June 2020)
Disaster Management Act 57 of 2002 – tobacco regulations – rationality – health hazard considerations

Esau and Others v Minister of Co-operative Governance and Traditional Affairs and Others (5807/2020) [2020] [ZAWCHC](#) 56 (26 June 2020)
Disaster Management Act 57 of 2002 –constitutionality of the command council and disaster management regulations

KBV Group (Pty) Ltd v Univest Mining Group (Pty) Ltd and Others (23648/2020) [2020] [ZAGPPHC](#) 244 (23 June 2020)

“[17] Respondents allege that KBV intends to conduct unlawful mining operations on the property, on the grounds that KBV has no mining permit or right. It is a mystery how respondents know that KBV intends to conduct these operations. There is no factual basis to this allegation which KBV denies categorically. It says that it intends to continue with the operation that Jupiter has allowed all along.

[20] The core facts of the matter are not in dispute, and that is that until 25 March 2020 KBV was in undisturbed possession of the property. It is also

not disputed that Uninvest's employee told the Augustyn brothers that henceforth the KBV employees would be employed by Uninvest, and that a sign was erected at the entrance which announced that respondents were conducting operations on the property jointly. Those are the core questions in this matter, and in regard to these questions, there is no dispute."

Staufen (Pty) Ltd v Minister of Public Works and Others 2020 (4) SA 78 (SCA)

"Expropriation—Legality—State expropriating part of farm on which state electricity utility Eskom had unlawfully built substation—No authority for proposition that expropriation cannot be used to regularise unlawful occupation—Responsible minister having lawfully approved expropriation of servitude rights—Occupation no longer unlawful—High Court having correctly dismissed review of minister's decision to expropriate—Appeal against High Court order dismissed save for minor amendments—Constitution, s 25; Electricity Regulation Act 4 of 2006, s 26; Expropriation Act 63 of 1975, s 2(1).

Administrative law—Administrative action—Review—Decision of functionary—Acting under specialised legislation—Deviation from general requirements for administrative action—Principle of deference—Promotion of Administrative Justice Act 3 of 2000, s 6."

Jacobs and Others NNO v Hylton Grange (Pty) Ltd and Others 2020 (4) SA 234 (WCC)

"Nuisance—What constitutes—Odiferous gases produced during manufacture of compost—Legal basis of and test for nuisance."

PUBLICATIONS

National

Rutz C, Loretto M, Bates AE *et al* "COVID-19 lockdown allows researchers to quantify the effects of human activity on wildlife" 2020 [Nat Ecol Evol](https://doi.org/10.1038/s41559-020-1237-z) <https://doi.org/10.1038/s41559-020-1237-z>

Ngang CC "Guest editor's note : The right to development in Africa and natural resources ownership" 2020 45 [Journal for Juridical Science](http://dx.doi.org/10.18820/24150517/JJS45.i1.Editorial) <http://dx.doi.org/10.18820/24150517/JJS45.i1.Editorial>

Munyai A "African renaissance: effects of colonialism on Africa's natural resources and the right to development" 2020 45 [Journal for Juridical Science](http://dx.doi.org/10.18820/24150517/JJS45.i1.1) <http://dx.doi.org/10.18820/24150517/JJS45.i1.1>

Ngang CC "Right to development in Africa and the common heritage entitlement" 2020 45 [Journal for Juridical Science](http://dx.doi.org/10.18820/24150517/JJS45.i1.2) <http://dx.doi.org/10.18820/24150517/JJS45.i1.2>

Abegaz ST "Displacement from land as a limit to the realisation of the right to development in Ethiopia" 2020 45 [Journal for Juridical Science](http://dx.doi.org/10.18820/24150517/JJS45.i1.3) <http://dx.doi.org/10.18820/24150517/JJS45.i1.3>

Home R "Land dispute resolution and the right to development in Africa" 2020 45 [Journal for Juridical Science](http://dx.doi.org/10.18820/24150517/JJS45.i1.4) <http://dx.doi.org/10.18820/24150517/JJS45.i1.4>

Adeniyi A "Women's access to water for sustainable development in Nigeria: drawing lessons from South Africa's water-renewable techniques" 2020 45 [Journal for Juridical Science](#) <http://dx.doi.org/10.18820/24150517/JJS45.i1.5>

Kamga SD "The Special Criminal Court in the fight against illicit flows of wealth and the realisation of the right to development in Cameroon: prospects and challenges" 2020 45 [Journal for Juridical Science](#) <http://dx.doi.org/10.18820/24150517/JJS45.i1.7>

International

Church JM *Ecoregionalism Analyzing Regional Environmental Agreements and Processes* ([Routledge](#) 2020)

Madebwe T "The Quality of Botswana's Environmental Protection Regulatory Framework" 2020 [Journal African Law](#) DOI: <https://doi.org/10.1017/S0021855320000078>

Ele MN "Transhumance, Climate Change and Conflicts: Reflections on the Legal Implications of Grazing Reserves and Ruga Settlements in Nigeria" 2020 [Journal of African Law](#) DOI: <https://doi.org/10.1017/S0021855320000066>

2020 [Journal of Human Rights and the Environment](#) – Call for Papers - Special Issue: 'Posthuman Legalities: New Materialism and Law Beyond the Human' For more information visit [the JHRE homepage](#) on [Elgaronline](#). If you are interested in submitting to this edition, please in the first instance send abstracts for consideration to the editors via email [Emille Boulot](#), [Iván Darío Vargas Roncancio](#), [Joshua Sterlin](#). Submission deadline 1 December. Editor for edition on 'New materialist approaches' [Anna Gear](#).

Antwi SP "The trade-off between gender, energy and climate change in Africa: the case of Niger Republic" 2020 [GeoJournal](#)

Lewis LIIIW, Valbuena LB and Hounghbedji K "Formalizing land rights can reduce forest loss: Experimental evidence from Benin" 2020 6(26) [Science Advances](#) DOI: 10.1126/sciadv.abb6914

UNDP "Human Development and the Anthropocene Expanding Human Freedoms in Balance with the Planet" ([Report](#) June 2020)

UNDP "Annual [Report](#) 2019" (June 2020)

Humanists International "Humanists at Risk: Action [Report](#) 2020" (June 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change**

[Webber Wentzel](#): Novotny P-A and Niven G "Further developments to the carbon tax framework: Regulations regarding allowances and renewable energy premiums" 22 June 2020

[Mining Weekly](#): Creamer T "Eskom's new just energy transition office assessing green finance options for repurposing of old coal stations" 25 June 2020

- **Environmental enforcement**

[Lexology](#): ENS “South Africa: COVID-19 and the imperative for sustainable development” 17 June 2020

- **Mining**

[Mining Weekly](#): Slater D “Small-scale Alexander Bay diamond miners defend recent lambasting” 26 June 2020

- **Water, waste, oceans and chemicals**

[Mining Weekly](#): Creamer M “SA Inc must act now to take ownership of battery metals value chain – Bushveld” 26 June 2020

[Mining Weekly](#): Bulbulia T “South Africa's recycling insufficient to meet its waste management goals” 26 June 2020

- **Miscellaneous**

[Science](#): Wild S “South Africa slashes science budget, funds for giant radio telescope” 25 June 2020

[Webber Wentzel](#): Felekis A “Sustainable Infrastructure Development Symposium 2020 takeaways” 26 June 2020

[Mining Weekly](#): Arnoldi M “Covid-19 brings about a wider scope of opportunity for energy, water, waste sectors’ 26 June 2020

Africa

- **Biodiversity, protected areas and culture**

[The Guardian](#): Barkham P “Should we cull one species to save another?” 28 June 2020

[The Conversation](#): Biggs D *et al* “COVID-19, Africa’s conservation and trophy hunting dilemma” 28 June 2020

[The Conversation](#): Brackowski AR *et al* “Getting closer to a much better count of Africa’s lions” 28 June 2020

- **Local government**

Thomas Reuters [Foundation](#): Goering L “With climate change, conflict and COVID, stresses grow for Malian villagers” 17 June 2020

- **Water, waste, oceans and chemicals**

[Daily Maverick](#): Fabricius P “Ethiopia’s Nile dam dispute must be solved soon” 25 June 2020

[News24](#): “Ethiopia agrees to delay filling Nile mega-dam, say Egypt, Sudan” 27 June 2020 – also read [IOL](#)

- **Miscellaneous**

[Lexology](#): ENS “A non-exhaustive list of recent measures aimed at curbing the spread of coronavirus (COVID-19)” 21 June 2020

[Bizcommunity](#): Lafleur J “Innovative protocol developed for virtual arbitration hearings in Africa” 25 June 2020

[The Conversation](#): Njeru TN and Ayieko MW “How incoherent farm policies undermine Kenya’s transformation agenda” 20 June 2020

International

- **Biodiversity, national parks and culture**

[Science](#): Grimm D “Is it time to replace one of the cornerstones of animal research?” 25 June 2020

[UNDP](#): Ervin J “Celebrating biodiversity amidst a pandemic” 4 June 2020

[Lexology](#): “Animal Rights Challenge to Fish & Wildlife Service Sport Trophy Decision Fails in D.C. Circuit” 24 June 2020

[IISD](#) SDG Knowledge Hub: Leone F “Forests, Progress on SDGs Contribute to Recovery from Pandemic” 25 June 2020

[Lexology](#): “US Fish and Wildlife Service Continues Work to Narrow Application of Migratory Bird Treaty Act” 23 June 2020

[The Independent](#): Boyle L “Elephant training process known as ‘the crush’ revealed in rarely-seen footage” 24 June 2020

[The Independent](#): “World Rainforest Day: Celebrating the Amazon, the planet’s largest rainforest” 22 June 2020

[The Independent](#): Dalton J “Badger cull: Government accused of backtracking on pledge as it expands trapping and shooting of animals” 27 June 2020

[The Guardian](#): Kurmelovs R “‘Shell shock’: Kangaroo Island struggles to recover amid bushfire grief and Covid-19” 27 June 2020

[The Guardian](#): Tobias J “The secretive government agency planting ‘cyanide bombs’ across the US” 26 June 2020

[The Guardian](#): Ingram S “Country diary: an old quarry is now a mine of natural treasure” 27 June 2020

[BBC](#): Briggs H “How one teaspoon of Amazon soil teems with fungal life” 27 June 2020

- **Climate change and energy**

[Lexology](#): “Canada: Climate Change/Sustainability Planning and the Large Employer Emergency Financing Facility” 24 June 2020

@kas.mnedbrussels [Podcast](#): “Global Climate Policy after Corona - Lost Momentum” 22 June 2020 [provided by Olivia Rumble ClimateLegal]

The podcast discusses the issue of Global Climate Policy after Corona, with Elina Bardram, Head of Unit at the European Commission, and Gita Syahrani, Executive Director of the Sustainable District Association in Indonesia. Covering three key questions: How can we keep up momentum in multilateral climate politics? How realistic is it to expect the Global South to implement ambitious climate policies in the next years? And how to refine the EU’s Green Deal diplomacy in the wake of the Corona-crisis?

[Lexology](#): “U.S. regulatory developments: EPA issues first in a series of rules restricting ethylene oxide emissions” 17 June 2020

[Lexology](#): “Public Consultation on the Industry Carbon Tax Act: levy and trade in dispensation rights” [EU] 19 June 2020

[Lexology](#): “Wetsvoorstel stikstofreductie en natuurverbetering: structurele aanpak voor de stikstofproblematiek?” [EU] 18 June 2020

[Lexology](#): “Public Consultation on the Industry Carbon Tax Act: levy and trade in dispensation rights” [Netherlands] 19 June 2020

[IISD](#) SDG Knowledge Hub: Gordon-Harper G “World Bank Identifies Ways to Enhance Transformative Impact of Climate Finance” 25 June 2020

Government’s analysis, assessment and research [activities](#) [Sweden]: “Infrasound does not explain the symptoms associated with wind power – final report of the research project now published” 22 June 2020

MIT Technology [Review](#): Temple J “How green sand could capture billions of tons of carbon dioxide” 22 June 2020

[The Guardian](#): Taylor M “Government climate advisers running scared of change, says leading scientist” 26 June 2020

- **Environmental enforcement**

[The Guardian](#): Watts J “Britain beyond lockdown: can UK become cleaner?” 25 June 2020

- **Local government**

Thomas Reuters [Foundation](#): Chandran R “Tencent’s ‘smart city’ seen as model for post-coronavirus China” 24 June 2020

- **Mining**

[The Guardian](#): Smee B “Commonwealth Bank activist shareholders call out company for financing new gas projects” 26 June 2020

[The Guardian](#): Brett J “Forgotten farmers, mining and anti-green invective: how the Nationals became a party for coal” 26 June 2020

[Mining Weekly](#): Liedtke S “IGF releases fourth ‘Guidance for Governments’ report” 26 June 2020

- **Water, oceans, waste and chemicals**

[IISD](#) ENB “11th Monaco Blue Initiative—Digital Edition” 28 May, 9 and 24 June 2020

[UNDP](#): Hudson A “The ocean and COVID-19” 8 June 2020

[Lexology](#): “Water Storage and Dam Management Strategies in Light of Climate Change Impacts” 24 June 2020

[IISD](#) SDG Knowledge Hub: Mead L “Post-2020 Chemicals Management Planning Underway Despite COVID-19 Postponements” 25 June 2020

[Lexology](#): “Trump Track: Surprise! New WOTUS Rule Leads to Conflicting Rulings” 23 June 2020

[Lexology](#): “EPA Grants Petitions to Add First Chemical to Hazardous Air Pollutants List Since 1990” 23 June 2020

[Lexology](#): “EPA Limits State and Tribal Authority with Final Clean Water Act Section 401 Certification Rule” 23 June 2020

[Lexology](#): “Land and Water Conservation Fund Clears First Congressional Hurdle for Permanent Funding” 23 June 2020

[BBC](#): Kinver M “Washing machines' microplastic filters 'untested'” 27 June 2020

[BBC Video](#): “UK recycling dumped by Turkish roadside” 26 June 2020

- **Miscellaneous**

Vermont Law School Hothouse Earth [Podcast](#): Episode 9: Essential Yet Unprotected: Farmworkers In America” June 2020

[Science](#): Cho A “Lawsuit alleges scientific misconduct at U.S. nuclear weapons lab” 24 June 2020

[UNDP](#): “Covid-19 Socio-economic impact” June 2020

[TedTalk](#): Achim Steiner “UNDP Administrator talked about the future of global development in a post-COVID-19 world” June 2020

[Al Jazeera](#): High Level Panel, cohosted by UNDP and UNEP “People and the Planet: How can we shape the future of development in a post-COVID-19 World?” 17 June 2020

[IISD](#) SDG Knowledge Hub: Grund L “Could America’s Green New Deal Support the SDGs?” 25 June 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club Session 2: Rotten (Episode 1, Season 1) Episode 1, Season 1, Lawyers, Guns and Honey

Date: Tuesday, 30 June 2020

Time: 19:00 SA time

After the success of our first ELA Streaming Club get together, the ELA Streaming Club is excited to host their second event on Tuesday, 30 June 2020 at 19h00 (CAT). Stream in your home, via Netflix, episode 1, titled 'Lawyers, Guns and Honey' (54 mins) of season 1 of *Rotten*, a docuseries that 'travels deep into the heart of the food supply chain to reveal unsavoury truths and expose hidden forces that shape what we eat'. A Zoom discussion will follow directly after the episode from 19h55. Contact us via [FB messenger](#) for the Zoom meeting details.

One reviewer of *Rotten* states: 'It's not as much an assault on our diets as much as an eye-opening examination into the business of food production and the corporate and criminal malfeasance that is a part of the multibillion-dollar food industry' –Tom Roston, *Salon*.

Contact Dr [Melanie Murcott](#) for the link or contact us via Facebook.

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 31 July 2020

More information will follow

The call for papers emailed separately.

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: 31 July 2020

Place: Virtual

The call for papers emailed separately.

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

UCT: Corporate Social Responsibility, Citizenship and Business Sustainability (online Zoom webinar)

Date: 14-17 July 2020 (14:00-16:00) SAST

[Email](#)

International

Webinar: Energy needs for space cooling are predicted to triple by 2050

Date: 1 July 2020

[Registration](#)

Download the Cool Buildings [Paper](#)

Angora Energiewende Webinar: The role of State aid in the EU's green recovery: Part 13 of the Agora webinar series (in English)

Date: 30 June 2020

Time: 11-12:00

[Registration](#) and more information

PACE: Future Environmental Law Professors Workshop online

Date: Friday, September 18, 2020.

Visit [here](#) to register.

NEWS

National

- **Biodiversity, protected areas, animal rights and culture**

Alberts EC “‘It’s a success’: Pangolins return to a region where they were once extinct” [Mongabay](#) 23 June 2020

Stent J “Protest in Hout Bay over payment for lobster rights” [GroundUp](#) 24 June 2020

Wild S “Do poorer communities have fewer plant and animal species?” [GroundUp](#) 23 June 2020

- **Climate change and energy**

Phakathi B “Government to fast-track energy procurement amid fears of load-shedding” [BusinessDay](#) 25 June 2020

- **Local government**

Washinyira T “Sophiatown residents’ 20-year battle for services and housing” [GroundUp](#) 24 June 2020

Ensor L “Municipal water crisis is looming, warns engineering body” [BusinessLive](#) 26 June 2020

Reddy M “Update: High court sets aside dodgy Tshwane fuel tender, fingers company that paid Malema ‘kickbacks’” [amaBhungane](#) 25 June 2020

- **Mining**

Yeld J “Green Scorpions probe coastal dams” [GroundUp](#) 26 June 2020

“Covid is forcing the mining sector to adopt technology” [Bizcommunity](#) 23 June 2020

Secombe A “Debt-ravaged Petra Diamonds puts itself up for sale” [BusinessLive](#) 26 June 2020

- **Water, oceans, waste and chemicals**

Harper P “South Coast fight for water heads to court” [Mail&Guardian](#) 24 June 2020

Bateman C “In SA, weedkiller Roundup still sold without cancer warning; in US, Bayer pays out billions” [Biznews](#) 26 June 2020

Criminal: NPA, Water & Sanitation top suspensions list

“The NPA and the Water & Sanitation Department have the highest number of officials on suspension with full pay for serious misconduct charges against them. A *Cape Times* report says the government has spent more than R4.4m on eight Water & Sanitation officials who had been on suspension for more than 60 months – some of the charges are for tender irregularities. ... Mchunu revealed that the government had paid more than R17m to 230 officials in provincial governments and 50 in national government while on suspension.”

Full Cape Times report (subscription needed) Legalbrief 25 June 2020

- **Miscellaneous**

Mtshali S “Whistle-blowers have to be protected” [Cape Argus](#) 24 June 2020 [Legalbrief Forensic 25 June 2020]

International

- **Biodiversity, protected areas, animal rights and culture**

“Restoring natural habitats key for UK to meet CO2 targets, says new report” [Reuters](#) 24 June 2020

Pandit MK “The Himalaya should be a nature reserve” [Nature](#) 23 June 2020

Salamacha R “President Trump issues executive order on protecting public monuments” [The Jurist](#) 27 June 2020

Cossin J “Federal appeals court rules in favor of Confederate monument removal” [The Jurist](#) 24 June 2020

Klapper D “Senate approves public land conservation bill” [The Jurist](#) 20 June 2020

Mahe S and Lough R “Hundreds of dead dolphins washing up on French coast after being trapped in fishing nets” [The Independent](#) 27 June 2020

Cockburn H “Climate crisis: Arctic warming is causing ‘spider baby boom’, scientists warn” [The Independent](#) 27 June 2020

Boyle L “Risk of coronaviruses increases as wildlife moves from farms to restaurants, study finds” [The Independent](#) 24 June 2020

Cockburn H “YouTube could be effective wolf conservation tool, research suggests” [The Independent](#) 24 June 2020

Morris L and Fellner C “Powerhouse collection to be 'scattered' across NSW, plans reveal” [Sydney Morning Herald](#) 28 June 2020

Gebicki M “See them before it's too late: Seven Aboriginal rock art treasures” [Sydney Morning Herald](#) 28 June 2020

“Seaton Carew beach appeal to protect little terns colony” [BBC](#) 27 June 2020

“Narriearra: New South Wales creates national park for rare species” [BBC](#) 27 June 2020

“First Viking ship excavation in a century begins in Norway” [BBC](#) 27 June 2020

Heath M and Mano A “Argentina, Brazil monitor massive locust swarm; crop damage seen limited” [Reuters](#) 25 June 2020

- **Climate change and energy**

“Germany leads four-nation call for Brussels to keep alternatives to carbon border tax open” [Carbon Pulse](#) 26 June 2020

Morison R “Britain’s Last Big Gas Plants Are Probably Already Being Built” [Bloomberg](#) 26 June 2020

“House Climate Panel to Issue Long-Awaited Report Next Week” [Bloomberg](#) 26 June 2020

Voegele E “Senators urge EPA to reject 52 ‘gap year’ SRE petitions” [Biomass Magazine](#) 25 June 2020

Cockburn H “Climate crisis: Renewable energy provided almost half of UK’s electricity in first three months of 2020” [The Independent](#) 27 June 2020

Tabuchi H “More than half of all trucks sold in California to be zero-emissions by 2035 under new rule” [The Independent](#) 26 June 2020

Boyle L “Minnesota sues oil companies and trade body for fraud on climate change” [The Independent](#) 25 June 2020

Sullivan R “Increase in air pollution in Europe’s cities as lockdowns ease” [The Independent](#) 24 June 2020

“France’s oldest nuclear reactor to finally shut down” [The Guardian](#) 28 June 2020

“Venezuela tightens grip on fuel stations after subsidy reform” [Reuters](#) 28 June 2020

Abnett K “Carmakers slip further from compliance with upcoming EU CO₂ goals” [Reuters](#) 26 June 2020

Shepardson D “Ford, VW will stay neutral on challenges to Trump vehicle emissions rule: document” [Reuters](#) 26 June 2020

Volcovici V “District of Columbia sues four oil majors for misleading consumers on climate change” [Reuters](#) 25 June 2020

Volcovici V Minnesota sues Exxon, Koch and API for being ‘deceptive’ on climate change” [Reuters](#) 24 June 2020

- **Environmental enforcement**

McDonald H “China defies court order over building of wall at Belfast consulate” [The Guardian](#) 24 June 2020 [Legalbrief 26 June 2020]

Cockburn H “Climate crisis: UK ‘acutely vulnerable’ to environmental breakdown, think tank warns” [The Independent](#) 25 June 2020

Abnett K “Most EU countries not doing enough to tackle air pollution, Commission says” [Reuters](#) 26 June 2020

Ramos Miranda NA “Chile’s environmental watchdog hits Codelco with mining waste pollution claims” [Reuters](#) 25 June 2020

- **Local government**

Willsher K “Wanted: a cleaner, greener Paris after the coronavirus gloom” [The Guardian](#) 27 June 2020

Lloyd M “Coronavirus: Easing of lockdown sparks rise in litter in Wales” [BBC](#) 27 June 2020

- **Mining**

“Acacia Mining employees released from Tanzania jail” [Mining Weekly](#) 17 June 2020 [Legalbrief Forensic 25 June 2020]

Gujral Z “Pennsylvania Attorney General issues [report](#) on DEP’s failure to regulate fracking” [The Jurist](#) 27 June 2020

Smee B “New Acland coalmine fined just \$9,461 for 34 separate noise violations” [The Guardian](#) 24 June 2020

Nasralla S “Satellites reveal major new gas industry methane leaks” [Reuters](#) 26 June 2020

Rosen Y “Trump administration opens sensitive Arctic areas to oil development” [Reuters](#) 25 June 2020

Scarr S and Boadle A “Amazon gold rush: illegal mining threatens Brazil's last major isolated tribe” [Reuters](#) 25 June 2020

Hampton L “Colorado activists revive anti-fracking ballot initiative” [Reuters](#) 25 June 2020

Abnett K “EU countries agree their green transition fund will not pay for move to nuclear or fossil gas” [Reuters](#) 25 June 2020

Wettengel J “Germany takes next coal exit step with contract for company compensation” [CleanEnergyWire](#) 24 June 2020

- **Water, waste, oceans and chemicals**

“Bayer to pay \$10.9bn to settle weedkiller cancer claims” [BBC](#) 25 June 2020 – also read [The Jurist](#)

Margulies P “How the DC Circuit Mangled Mandamus in the Flynn Case” [The Jurist](#) 25 June 2020

“Germany bans range of single-use plastics including straws and cotton buds” [The Independent](#) 25 June 2020

Holden E “US climate activists charged with 'terrorizing' lobbyist over plastic pollution stunt” [The Guardian](#) 25 June 2020

Nair SS “Michigan court orders Enbridge to temporarily shut down Line 5 pipeline” [Reuters](#) 25 June 2020

- **Miscellaneous**

McDermott M “US lawmakers propose transportation, energy, infrastructure, education changes” [The Jurist](#) 25 June 2020

Oltermann P “German far right infiltrates green groups with call to protect the land” [The Guardian](#) 28 June 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

The Independent Communications Authority of South Africa (ICASA) Graduate Development Programme 2020: Compliance and Consumer Affairs

Closing date: 16 July 2020

More [information](#)

University of Venda: Part-time lecturer: Commercial Law, Law of Insurance, Law of Insolvency and any other module in the Department of Mercantile Law

Closing date: 3 July 2020

More [information](#)

University of Cape Town: Professor/Associate Professor in Private law (Equity position)

Closing date: 15 July 2020

More [information](#)

University of Cape Town: Lecturer/Senior Lecturer in Private Law (preferably Equity position)

Closing date: 15 July 2020

More [information](#)

Stellenbosch University, Faculty of Law, Department of Public Law

Closing date: 10 July 2020

Enquiries: Prof. Henk Botha, Head of Department of Public Law, on 021 808 3195/4104 or [email](#)

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International

Vermont Law School: New Environmental Justice Fellowship

VLS is seeking applicants for a new two-year fellowship position in environmental justice. The Environmental Justice LLM Fellow will pursue an LLM degree in [Food and Agricultural Law or Environmental Law](#) while working part-time in VLS's [Environmental Justice \(EJ\) Clinic](#). Founded in late 2019, the EJ Clinic partners with low-income communities and communities of color to address racial disparities in environmental harms. Candidates with a JD degree are invited to apply for the program by July 1, 2020. The position includes a full tuition reimbursement for an LLM degree and a stipend. For more information, visit vermontlaw.edu/ej-fellowship.

[Researcher in Law](#)

University of Adelaide Adelaide Law School

[PhD Position in European, Public and International Law](#)

Ghent University Department of European, Public and International Law

[Doctoral Student in Health Law](#)

University of Antwerp Faculty of Law

[Canada Research Chair in Resilient and Sustainable Communities](#)

University of New Brunswick Department of Social Sciences

[Assistant Professor in Law](#)

University of Toronto Faculty of Law

[Postdoctoral Researcher in Law](#)

University of Helsinki Faculty of Law

[Junior Professorship of Private Law and Economics](#)

University of Hamburg Faculty of Law

[Postdoctoral Fellow in FinTech, RegTech and Digital Financial Transformation](#)

University of Hong Kong Asian Institute of International Financial Law

[Endowed Professor of Arms Control Law](#)

University of Amsterdam Amsterdam Law School

[Assistant Professor of Governance of Coastal Resilience](#)

Wageningen University

[Postdoctoral Position in Socio-Legal Research](#)

University of Amsterdam Amsterdam Law School

[PhD Position in Interdisciplinary Graduate School in Sustainable Development](#)

Uppsala University Department of Art History

[PhD Position in Environmental Law](#)

Uppsala University Department of Law

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University of Lausanne

[Research Assistant in Commercial Law Studies](#)

Queen Mary University of London School of Law

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University of Southampton Southampton Law School

[Research Assistant in Content Regulation of Online Platforms](#)

University of Leeds School of Law

[Fellow in Climate Policy](#)

University of California Berkeley School of Law

[Lecturer in Human Rights](#)

University of California Davis

[Lecturer in Law](#)

University of Southern California Law School

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University of Southern California Law School

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[Researcher in Evidence in Governance and Politics](#)

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A Public Benefit Organisation



ELA NEWSLETTER 27

3 July 2020

Level 3 Lockdown

The economy is opening up – the spread of infection is spiralling.

Keep safe and keep contact via Facebook, the website, upcoming webinars and our new monthly ELA Streaming Club.

BILLS

Bills before Parliament (as of 2 July 2020)

- Economic Regulation of Transport Bill (B1-2020)
- National Road Traffic Amendment Bill (B7-2020)
- Disaster Management Tax Relief Bill (B11-2020)
- Disaster Management Tax Relief Administration Bill (B12-2020)
- Independent Electricity Management Operator Bill (B14-2019)
- National Health Insurance Bill (B11-2019)
- National Health Amendment Bill (B29 – 2018)
- National Environmental Management Laws Amendment Bill (B12-2017)
- National Forests Amendment Bill (B11-2016)

Bills before the President (as of 2 July 2020)

- Science and Technology Laws Amendment Bill (B42 – 2018)
- National Land Transport Amendment Bill (B7-2016)

[Imbewu June 2020 She Legislation Update]

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN 726 in GG 43493 of 2 July 2020 - Amendment to the International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 438 in GG 43189 of 31 March 2020 amended
- Gen Notice 355 in GG 43486 of 29 June 2020 - Directions for reopening of institutions offering qualifications registered on the Occupational Qualifications Sub-Framework (OQSF) as part of a risk-adjusted strategy for a phased-in return of skills development activities published with effect from 1 June 2020
- Gen Notice 357 in GG 43488 of 29 June 2020 - Directions regarding the reopening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published in GenN 343 in GG 43465 of 23 June 2020 amended

- GN 727 in GG 43494 of 2 July 2020 - Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended
- Gen 356 in GG 43487 of 29 June 2020 - Tourism Directions published and GenN 235 in GG 43200 of 2 April 2020 withdrawn

NOTICES

Petroleum Products Act 120 of 1977 - GN R723 in GG 43490 of 30 June 2020 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published with effect from 1 July 2020

Petroleum Products Act 120 of 1977 - GN R724 in GG 43490 of 30 June 2020 - Regulations in respect of petroleum products published in GN R622 in GG 43382 of 2 June 2020 substituted with effect from 1 July 2020

Petroleum Products Act 120 of 1977 - GN R725 in GG 43490 of 30 June 2020 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 1 July 2020

Agricultural Pests Act 36 of 1983 – GN R742 in GG 43496 of 3 July 2020 - Proposed control measures relating to the Polyphagous Shot Hole Borer - for comment

Council for the Built Environment Act 43 of 2000 - GN 740 in GG 43495 of 3 July 2020 - Scope of Work for Categories of Registration for the Professions Regulated by the Engineering Council of South Africa

International Trade Administration Act 71 of 2002 - GN R746 in GG 43501 of 3 July 2020 - Policy Directive on the Exportation of Ferrous and Non-Ferrous Waste and Scrap Metal

Division of Revenue Act 4 of 2020 - GN 738 in GG 43495 of 3 July 2020 - Local government conditional grant allocations and frameworks

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20258 in PG 8258 of 29 June 2020 - Knysna Local Municipality - Zoning Scheme By-law

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 - LAN 20272 in PG 8261 of 3 July 2020 - Bergrivier Local Municipality: Air Quality By-law published and previous by-laws repealed

Limpopo

Spatial Planning and Land Use Management Act 16 of 2003 – Gen Notice 34 in PG 3087 of 3 July 2020 - Polokwane Local Municipality - Appointment of Municipal Appeal Tribunal and deputy chairperson of MPT

North West

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 55 in PG 8122 of 30 June 2020 - Mamusa Local Municipality - Land Use Scheme, 2020

CASES

National

One South Africa Movement and Another v President of the Republic of South Africa and Others (24259/2020) [2020] [ZAGPPHC](#) 249 (1 July 2020)

“32. Central to the application is the progression of the Covid-19 epidemic in South Africa and the government’s response to it. The applicants accuse the government of irrationally, unlawfully and unconstitutionally abandoning measures aimed at effectively combating the Covid-19 epidemic, and replacing them with constitutionally non-compliant measures which are likely to result in the preventable deaths of human beings, especially the poor and vulnerable. In other words, the applicants charge the government with not doing enough to protect lives in easing lockdown restrictions.”

Minerals Council South Africa v Minister of Mineral Resources and Another Case No 20341/19 High Court Gauteng Division Decided 30 June 2020

Mining Charter of 2018 – challenge of some of the clauses – Charter law or policy – host community and labour union interests – joinder of parties

Esau and Others v Minister of Co-operative Governance and Traditional Affairs and Others (5807/2020) [2020] [ZAWCHC](#) 56 (26 June 2020)

“Applicants seek, *inter alia*, the following relief:

1.1. Declaring that:

1.1.1 the establishment and existence of the sixth respondent (the Command Council) is inconsistent with the Constitution of the Republic of South Africa, 1996 ('the Constitution') and the Disaster Management Act 57 of 2002 ('the Act'), and is invalid;

1.1.2 alternatively, to the extent that the Command Council purports to duplicate and/or supplant the functions of the National Disaster Management Centre established in Chapter 3 of the Act, the Command Council acts unlawfully and in a manner that is inconsistent with the Constitution and the Act;

1.2. Declaring that any decision taken or purported to have been taken by the Command Council in relation to any matter in terms of the Act is unconstitutional and invalid.

1.3. Declaring that —

1.3.1. the Disaster Regulations issued in terms of section 27(2) of the Act published under Government Notice No. R. 480 in Government Gazette 43258 of 29 April 2020 ('the Disaster Regulations') are unconstitutional and invalid;

1.3.2. alternatively, regulations 16(1) — (4), 28(1), 28(3) and 28(4), read with Part E of Table 1, of the Disaster Regulations are unconstitutional and invalid.

1.4. Suspending the declaration of invalidity referred to in paragraph 1.3.1 above for a period of 30 calendar days from the date of this order.

1.5. Directing the first respondent to correct the constitutional defects in the Disaster Regulations within 30 calendar days of this order.

1.6. Declaring inconsistent with the Constitution and invalid, and reviewing and setting aside, the 'Directions regarding the sale of clothing, footwear and bedding during alert level 4 of the Covid-19 national state of disaster, published by the third respondent under Notice R. 523 in Government Gazette 43307 of 12 May 2020."

South African Association for Water User Associations and Others v Minister of Water and Sanitation and Others; CJ Lotter N.O. and Others v Minister of Water and Sanitation and Others; FGJ Wiid and Others v Minister of Water and Sanitation and Others (71913/2018; 42072/2018; 90498/2018) [2020] [ZAGPPHC](#) 252 (19 June 2020)

"Summary: Section 25 of National Water Act 36 of 1998 - Meaning Declaratory Orders - whether on a proper interpretation reference to property within the vicinity and to other land refers to property or land owned by another person or a third party- whether a holder of a water use entitlement is permitted to sell such entitlement to another person or a third party. - section 25 of National Water Act does not make reference to another person or to a third party and does not permit sale of water use entitlement."

Brocsand (Pty) Ltd v Full Score Trading 145 CC and Others (23172/17) [2019] ZAWCHC 32 (26 March 2019)

"[3] The first defendant was the holder of a mining right in relation to certain minerals on Bloemendaal Fonteyn 702 and 703 near Malmesbury, known as the Red Hill Mine (Red Hill). The second defendant was the holder of a right to mine sand at Doornkraal 831 near Malmesbury (Doornkraal).

[4] On 12 October 2010 first defendant appointed plaintiff as the exclusive contractor to mine the minerals on Red Hill and plaintiff would purchase the minerals from first defendant. The agreement would endure until 30 October 2015. The agreement contained a proviso that upon expiry of the agreement the plaintiff shall have the right of first refusal to enter into a new agreement with the first defendant as the exclusive contractor to render mining services in respect of the minerals on Red Hill."

Telkom SA SOC Limited v City of Cape Town and Another (CCT287/19) [2020] [ZACC](#) 15 (25 June 2020)

"Summary: Electronic Communications Act 36 of 2005 - exercise of rights held in terms of section 22 - compliance with bylaws - licensee to pay "due regard to applicable law"

[2] The matter concerns the question whether the exercise of rights held in terms of section 22 of the **Electronic** Communications Act is subject to compliance with municipal bylaws and policies. Differently put, whether a holder of those rights must comply with municipal bylaws before exercising those rights.

[3] In terms of section 22, a licensee under the Act is entitled to enter upon any land in the Republic for purposes of constructing and maintaining an electronic communications network or facility. The licensee may also enter such land for purposes of altering or removing the network or facility it had constructed. But the exercise of these rights is subject to the condition that

the licensee pays due regard to applicable law and the environmental policy of the Republic.”

“[25] The cross-boundary networks point was also rejected. Relying on *Habitat Council*, the Supreme Court of Appeal held that the cross-municipal projects which form part of regional, provincial or national planning do not displace municipal planning which is the sole preserve of municipalities. The zoning and subdivision of land remains, as this Court observed in *Habitat Council*, the competence of municipalities, regardless of whether the land in question is to be used for provincial or national purposes.”

Hlumisa Investment Holdings (RF) Ltd and Another v Kirkinis and Others (1423/2018) [2020] ZASCA 83 (3 July 2020)

“Summary: Company Law – s 218(2) of the Companies Act 71 of 2008 – claim by shareholders of company against directors and auditors for damages related to diminution in value of shares – directors alleged to have acted in bad faith, for ulterior purposes and without the requisite degree of care, skill and diligence, in breach of provisions of the Act – company, rather than shareholders, proper plaintiff in respect of claim against directors – essentially a claim for reflective loss – claim against auditors based on alleged negligence in the manner in which they conducted an audit of the company, in breach of their legal duty – proper plaintiff the company – claim for pure economic loss – wrongfulness requirement not met – exceptions rightly upheld by court below – appeal dismissed.”

Botha v Smuts and Another (2832/2019) [2020] ZAECPHC 19 (4 June 2020)

“[2] On the morning of 23 September 2019, Mr Nicholas Louw was one of a group of cyclists participating in an adventure ride organised by Quantum Adventures. Their route traversed Varsfontein. According to Louw the organiser of the ride is obliged to obtain permission from the relevant landowners over whose land the participants ride. During the ride over Varsfontein, Louw came across two cages on the farm, one containing a dead baboon and the other containing a dead porcupine. The cages were positioned where there was no shade and there was no water in the cages. Oranges lay on the ground near to the baboon. Not seeing any blood from a gunshot wound, or any obvious indication of the cause of the death of the animals, Louw gained the impression that they had suffered a drawn-out death, probably from dehydration, while trapped in the cage. Louw was outraged and viewed what he had seen as barbaric and unethical. He took photographs of the cages containing the dead animals and sent them to the first respondent.

[3] What happened next is the subject of this litigation. On 9 October 2019 the first respondent posted the photographs on the second respondent’s Facebook page, together with a photograph of the applicant and his baby daughter, which was the applicant’s Whatsapp profile picture. The first respondent further posted a Google search location of the applicant’s business and home address and his telephone number. A Whatsapp conversation between the applicant and the first respondent was also posted, in which the applicant was asked if he had permits to trap animals,

to which he answered in the affirmative. The written content of the post was as follows:

‘While we spend our efforts trying to promote ecologically acceptable practices on livestock farms to promote ecological integrity and regeneration, we are inundated by reports of contrarian practices that are unethical, barbaric and utterly ruinous to biodiversity. This is utterly vile. It is ecologically ruinous. Mr Botha claims to have permits to do this – see the WhatsApp conversation with him attached.

The images show a trap to capture baboons (they climb through the drum to get access to the oranges – often poisoned – and then cannot get out). See the porcupine in traps too. Utterly unethical, cruel and barbaric.”

“[6] The applicant approached this court on an urgent basis and Mullins AJ granted a rule nisi in terms of which the respondents were to show cause why an order should not be granted to the effect that they were to remove the Facebook post and were prohibited from submitting any further posts which made reference to the applicant, his family, his addresses and his business. The post was removed. The photograph of the applicant and his daughter was removed before the application was launched.”

Hlungwane v S (BA 21/2019; RC121/2014) [2020] [ZALMPPHC](#) 34 (4 June 2020)

Appeal against conviction- s 57(1) National Environmental Management: Biodiversity Act 10 of 2004, alternatively s 41(1)(a) of the Limpopo Environmental Management Act 7 of 2003 – possession of two rhinoceros legs – *animus possidendi* - Conviction of some of the accused set aside

“[3] In convicting the six accused on the alternative charge the Court *a quo* made a finding that the State had proved beyond reasonable doubt that all the accused committed a prohibited act relating to a wild animal by conveying and possessing two white rhinoceros legs being especially protected wild animal without a permit to do so. The Court *a quo* applied the principles of common purpose.”

Mathonsi v S (AR393/2018) [2020] [ZAKZPHC](#) 11 (20 May 2020)

“[1] The appellant in this matter was found guilty in a regional court on three charges, namely a contravention of section 57 (1) of the National Environmental Management: Biodiversity Act 10 of 2004 (the carrying out of a restricted activity involving an attempt to hunt a rhinoceros); a contravention of section 1 (1) (a) of the Trespass Act 6 of 1959 (entering the Zulu Nyala Game Reserve unlawfully and without permission); and a contravention of section 4 (1) (f) (iv) of the Firearms Control Act 60 of 2000 (the unlawful possession of a prohibited firearm, namely a rifle of which the serial number had been removed). He was sentenced to an effective period of 18 years’ imprisonment. The appeal before us is in respect of the convictions and the sentence, leave having been granted by this court on petition to it. With the consent of the parties we dealt with the appeal without the hearing of oral argument, in the light of the current restrictions regarding the Covid19 pandemic, as we are empowered to do in terms of section 19(a) of the Superior Courts Act 10 of 2013. Counsel for both parties delivered heads of argument, in which their respective submissions were fully set out.”

Le Roux NO and Others v Botha NO and Others (Case no 427/19) [2020] ZASCA 67 (17 June 2020)

Summary: Servitudes – water drawing and leading – disputes – matter settled – costs – considerations.

Eskom Holdings Limited v National Energy Regulator of South Africa Case No [10026/2019](#) Gauteng High Court Delivered 29 June 2020

Multi-Year Price Determination Methodology – reasonable time – decisions set aside

“[1] This is an application in which the applicant seeks to have reviewed and set aside the process and determination made by the respondent in respect of what is termed the Regulatory Clearing Account of the applicant for the financial years of 2014/15, 2016/16 and 2016/17.”

PUBLICATIONS

National

PUBLICATIONS

National

Blackmore, A., 2020, 'Climate change and the ownership of game: A concern for fenced wildlife areas', *Koedoe* 62(1), a1594. <https://doi.org/10.4102/koedoe.v62i1.1594>

Mujuzi JD "Electricity theft in South Africa: examining the need to clarify the offence and pursue private prosecution?" 2020 41 *Obiter* 78

Sefela G "The proposed amendment to the definition of “veldfire” as articulated by the National Veld and Forest Fire Amendment Bill [B22–2016]" 2020 41 *Obiter* 138

Lemine BJ "Developing a strategy for efficient environmental authorisation of activities affecting wetlands in South Africa: towards a wise-use approach" 2020 41 *Obiter* 154

Maloka TC "[Biowatch](#) shield, costs liability for abuse of process and crossfire litigation - [Biowatch Trust v Registrar Genetic Resources](#) 2009 (6) SA 232 (CC)" 2020 41 *Obiter* 186

Maithufi M and Maimela CA "Teaching the “other law” in a South African university: some problems encountered and possible solutions" 2020 41 *Obiter* 1

International

Peel J and Osofsky HM "Climate change litigation' 2020 16 [Annual Review of Law and Social Science](#) <https://doi.org/10.1146/annurev-lawsocsci-022420-122936>

Ghorpade AR et al "Multiple Stakeholders help Indian Cities to put Supply Chain of Essential Goods back on track" (ICLEI Ecologistics [Report](#) 2020)

Ceccherini G, Duveiller G and Grassi G *et al* “Abrupt increase in harvested forest area over Europe after 2015” 2020 583 [Nature](#) 72–77 <https://doi.org/10.1038/s41586-020-2438-y>

European Court of Auditors “Review No 01/2020: Tracking climate spending in the EU budget” ([Report](#) 2 July 2020)

2020 June [Energy Review](#)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas, animal rights and culture**

[Daily Maverick](#): Pinnock D “Parliament’s poached penguin eggs and the Great Guano War” 2 July 2020

[Daily Maverick](#): Van Zyl M “On the importance of inclusivity and ecotourism” 1 July 2020

- **Climate change**

[Lexology](#): Herbert Smith Freehills LLP “South African energy update in respect of new power generation procurement - June 2020” 26 June 2020

[Extractives Baraza](#): “Sasol’s Asset Sale Program Advances with Bids Due for Pipeline” 30 June 2020

[Mail & Guardian](#): Carnie T “UN special rapporteur on the environment joins local air pollution case” 30 June 2020

[Bizcommunity](#): “Youth brings a fresh perspective to the renewable energy sector” 2 July 2020

[Bizcommunity](#): Winkler H “Interpreting the South African government's mixed messages on nuclear power” 2 July 2020

[Bizcommunity](#): “Wind and hydrogen have the power to drive exports market” 1 July 2020

- **Local government**

[Daily Maverick](#): Mafolo K “City overrides objections and votes to sell Platteklouf land, approves Philippi Agri-hub Project” 30 June 2020

- **Mining**

[Daily Maverick](#): Stoddard E “First payments to claimants in gold sector silicosis settlement expected in weeks” 1 July 2020

- **Water, waste, oceans and chemicals**

[Daily Maverick](#): Carnie T “The global waste of valuable and toxic electronic equipment – report” 2 July 2020

Africa

- **Biodiversity, protected areas and culture**

[Nature](#): Mallapaty S “The biodiversity leader who is fighting for nature amid a pandemic” 30 June 2020

[The Conversation](#): Chipango EF “Why rural electrification won’t fix deforestation in Zimbabwe” 2 July 2020

[The Conversation](#): Cerutti OF “Community forestry can work, but plans in the Democratic Republic of Congo show what’s missing” 29 June 2020

- **Climate change and energy**

[Bizcommunity](#): Mbanjwa S “Post-Covid-19: Delivering sustainable energy across Africa” 30 June 2020

[allAfrica](#): Ogundairo F “Nigeria: Petrol, Diesel Imported From Europe Dirtier Than Fuel From Illegal Refineries – Report” 2 July 2020

- **Local government**

[ICLEI](#): “Localising the SDGs: 5 tips for cities and towns anywhere in the world”

[The Guardian](#): Woo N “City crumbles as the sands shift on Senegal's coast – in pictures” 3 July 2020

[The Conversation](#): Maserumule MH “Turmoil in South Africa’s capital city points to the need to overhaul local democracy” 30 June 2020

- **Mining**

[Extractives Baraza](#): “What is Tanzanite? It Just Made this Man a Millionaire. And Proved African Mining Reforms can Work” 30 June 2020

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[TimesLive](#): “Egypt strikes gold in Eastern Desert” 1 July 2020

- **Water, waste, oceans and chemicals**

Webber Wentzel: Rapson G, Novotny P-A and Modibedi “Minister Creecy sets the tone for the regulation of extended producer responsibility in identified waste sectors” 1 July 2020

StreamSide Chats Youtube [Video](#): Edition 1, “Recovery and Resilience”:

StreamSide Chats Youtube [Video](#): Edition 2, “Recovery and Resilience”:

[allAfrica](#): Onyango M “Kenya: The Borehole That Transformed Lives of Turkana's Desert Farmers” 2 July 2020

- **Miscellaneous**

[TimesLive](#): Squazzin A “SA considers green infrastructure bond in major drive to spur growth” 22 June 2020 [Legalbrief Environmental 30 June 2020]

[Mail & Guardian](#): Allison S “AU rights leader warns of human rights disaster” 2 July 2020

International

- **Biodiversity, animal rights, national parks and culture**

[BBC](#): Gompertz W “How UK museums are responding to Black Lives Matter” 29 June 2020

[Science](#): Pérez Ortega R “Pools in the Mexican desert are a window into Earth’s early life” 30 June 2020

[IISD](#) SDG Knowledge Hub: Antonich B “Jamaica’s Updated NDC Incorporates Land-use Change and Forestry Sector” 2 July 2020

[Nature](#): Mega ER “Second Brazilian museum fire in two years reignites calls for reform” 1 July 2020

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- **Climate change and energy**

[Justshare](#): “Q&A: Climate risk & board conflicts at Standard Bank” 26 June 2020 [provided by Andrew Gilder Climate Legal]

[Lexology](#): “This client alert sets out the most relevant provisions of the Draft Guidelines” [Peru] 1 July 2020

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[Science](#): Voosen P “Greenland drilling campaign aims for bedrock to trace ice sheet’s last disappearance” 2 July 2020

[Lexology](#): “Third Time Is Not The Charm: Fourth District Affirms Judgment Setting Aside San Diego County’s Climate Action Plan And Related Supplemental EIR Approvals Due To CEQA Violations” 29 June 2020

[Lexology](#): “At a glance: natural gas pipeline transportation and storage in Denmark” 10 March 2020

[Lexology](#): “The Netherlands tighten rules on ETS-trading” 29 June 2020

[Lexology](#): “The Government’s Plan for Low Carbon Heating” [UK] 15 June 2020

[IISD](#) SDG Knowledge Hub: Gordon-Harper G “ICAO Launches CORSIA Central Registry” 30 June 2020

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[Lexology](#): “EPA Proposes Rule to Improve the Transparency of Guidance” [USA] 26 June 2020

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- **Local government**

[ICLEI](#): “Covid-19: Focus on cities and transport responses – South America” 25 May 2020

[ICLEI](#): “COVID-19: How Indian cities can enhance the resiliency of the supply chain of essential goods” 12 June 2020

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[eTN](#): Johnson HS “UK cities step up the ranking of the most expensive in the world” 3 July 2020

[Lexology](#): “New Ohio Law Provides Legal Protections to Brownfield Developers” 29 June 2020

[Lexology](#): “How Florida Zoning Regulations Can Encourage Development and Climate Change Resiliency” 27 April 2020

[IISD](#) SDG Knowledge Hub: Wagner L “[Handbook](#) Provides Guidelines for Local SDG Plans in Europe” 30 June 2020

[ICLEI](#): “Circular governance: a new approach for urban cultural heritage adaptive-reuse projects” 22 April 2020

[ICLEI](#): “The Green City Accord: a new EU initiative for greener, healthier cities” 15 June 2020

- **Mining**

[Lexology](#): “In brief: natural gas production in Nigeria” 10 March 2020

[Lexology](#): “In brief: natural gas production in Mexico” 10 March 2020

[Extractives Baraza](#): “Nornickel: Russia Probes New Pollution at Arctic Mining Firm” 30 June 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “District Court Rules That Prop 65 Warning for Glyphosate Is Barred by the First Amendment and Grants Permanent Injunction against Enforcement” [USA] 30 June 2020

[Lexology](#): “Navigable Waters Protection Rule Published in Federal Register” [USA] 21 June 2020

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[Science](#): Stokstad E “‘Ghost fleas’ bring toxic mercury up from the depths of prairie lakes” 1 July 2020

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[IISD](#) SDG Knowledge Hub: Mead L “Alliance Preparing Guidance for [Laws](#) on Lead in Paint” 30 June 2020

[IISD](#) SDG Knowledge Hub: Mead L “EU Concludes Consultation on Chemicals Strategy” 30 June 2020

[Lexology](#): “What is the “functional equivalent of a direct discharge”? We’re going to start finding out soon” [USA] 25 June 2020

[Lexology](#): “China’s New Regulation on New Chemicals Aims to Make Life Easier” 26 June 2020

- **Miscellaneous**

[Pinsent Mansons](#): “Draft sustainability rules for investment firms” 25 June 2020

[IISD](#) SDG Knowledge Hub: Assmann C and Hastings C “Will 2020 Be the Year of the Green Industrial Revolution?” 30 June 2020

[IISD](#) SDG Knowledge Hub: Leone F “SDG [Index](#) Measures All Countries’ Progress Since 2015” 30 June 2020

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[IISD](#) SDG Knowledge Hub: Leone F “Canadian Civil Society [Report](#): Look Between the Goals” 30 June 2020

[Lexology](#): “Job Titles Aren’t Everything When It Comes to Wrong-Doing” [Ireland] 29 June 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club Session 3: Save the date

Date: Tuesday, 28 July 2020

Time: 19:00 SA time

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 31 July 2020

More information will follow

The call for papers emailed separately.

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: 31 July 2020

Place: Virtual

The call for papers emailed separately.

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).
[Queries](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

SAEEC Online Conference; Switch on the Lights

Date: 4-6 November 2020

Submit abstracts 23 July 2020

More [information](#)

SAEEC Webinar: Energy Risk Assurance for your company

Date: 30 July 2020

Time: 10:30-11:30

[Registration](#)

Invitation: Development Dialogue Unravelling South Africa's Just Transition: Stakeholder Perspectives

Date: Tuesday 7 July 2020

Time: ZOOM: 10:00-12:00

RSVP by [email](#) to confirm attendance

Login details will be communicated to confirmed participants

International

New York Academy of Sciences Virtual Event: Climate change has caused massive ecological alterations in various ecosystems through impacts on plant physiology and ice sheet melting

Date: 27 July 2020

Time: 11:30 AM - 12:45 PM EDT

More [information](#)

[Registration](#)

Webinar: Fostering green finance for a climate-resilient post-COVID-19 recovery

Date: Wednesday 8 July 2020

Time: 4:00 pm - 5:00 pm CEST

For further information, please visit the [webinar web page](#) or [email](#).

Please, click on the [link](#) for registration. After registering, you will receive a confirmation email containing information about joining the webinar.

IAIA21 Smartening Impact Assessment in Challenging Times session proposals due 13 July

Date: 18-21 May 2021

Place: Seville, Spain

Proposals are due 13 July 2020 (11:59pm US CST) and can be [submitted online](#)

Frankfurt School - UNEP Collaborating Centre for Climate & Sustainable Energy Finance online programme Certified Expert in Sustainable Finance

Date: 1 September 2020 to 28 February 2021

- [The Certified Expert in Sustainable Finance \(CESFi\)](#)
- [The Certified Expert in Climate & Renewable Energy Finance \(CECRF\)](#)
- [The Certified Expert in Climate and Adaption Finance \(CECAF\)](#)
- [The Certified Expert in Financing NDCs \(CEFND\) - NEW](#)

The flexible part-time training concept is implemented through the training platform of Frankfurt School's Sustainable World [Academy](#). After successful completion of one of the accredited courses, participants will receive a **Certificate by Frankfurt School**, one of the leading business universities in Europe.

The next 6-months e-learning courses start on 1st of September 2020. Participants who register until 15th July receive the Early Bird Discount.

Find out more about the Centre's activities, research and projects at the new [FS-UNEP Centre webpage](#).

NEWS

National

- **Biodiversity, protected areas, animal rights and culture**

Phillip X "Blow for farmers: SA court bans the export of live sheep" [Daily Maverick](#) 2 July 2020 [Also read about first court appearance "Court blocks, for now, transport of 70,000 sheep by sea to the Middle East" [TimesLive](#) 10 June 2020]

Carnie T "Kruger Park ranger fired after rare antelopes die of thirst" [Times Select](#) 25 June 2020 [Legalbrief Environmental 30 June 2020]

- **Climate change and energy**

Creamer T "Tariff implications not yet clear as Nersa loses another court battle with Eskom" [Polity](#) 30 June 2020 – also see [TimesLive](#) [Legalbrief 1 July 2020] – also read also [IOL](#)

Creamer T "Nersa to provide concurrence on technology-specific determination this month" [Mining Weekly](#) 2 July 2020

Faku D “Power price threatens key sectors of economy” [IOL](#) 3 July 2020

“Eskom commits to complete Medupi power station this year” [Bizcommunity](#) 29 June 2020

Steyn L “ArcelorMittal feels the heat from activists at AGM” [BusinessLive](#) 30 June 2020 – also read [CER](#)

Steyn L “Sasol sells its stake in troublesome Nigerian plant to Chevron” [BusinessLive](#) 1 July 2020

Litigation: 'Bankrupt' municipality ordered to explain non-payments

“Free State High Court (Bloemfontein) Judge Johann Daffue has ordered the bankrupt Maluti-a-Phofung Municipality to explain under oath why it is not cutting electricity supply to at least 60% of its households who do not pay for electricity. Volksblad reports Daffue ordered the additional information in a case in which it has to consider whether a large factory should be allowed to buy electricity directly from Eskom rather than the municipality. The municipality claims in papers it is ‘bankrupt for all practical purposes’ and owes Eskom R5.2bn. Amos Goliath, who has been appointed as administrator for the municipality since 1 April, partly blames this on non-payment by residents. He said the municipality found that 95% to 99% of electricity meters in Tshiame and Makgolokweng have been tampered with. Some 60% of residents with prepaid meters still manage to get electricity without paying, Amos said. Officials are threatened with death if they enter these areas to cut off electricity. ‘It cannot be expected from us to achieve the impossible. We are only people and don’t have supernatural powers,’ Goliath said. Based on these contentions, Daffue ordered Goliath and others to answer explicit questions of the court. They include whether the municipality has called on the police to assist in enforcing laws and investigating crimes. If not, the officials must explain to the court why they are not doing this.”

Full Volksblad report (subscription needed) Legalbrief 1 July 2020

Litigation: Fraud at issue in SCA rejecting firm's appeal

“Electrical installation service provider Namasthethu Electrical has lost its appeal in the SCA after the City of Cape Town terminated its contract once it found out the company’s directors had been guilty of fraud and had misrepresented themselves to secure a R2m tender. A Cape Times report says the SCA handed down judgment in the appeal against an order of the Western Cape High Court, which found that the contract had been induced by fraudulent misrepresentations by Namasthethu, and a dispute resolution clause in the contract did not survive the termination of the agreement for fraud. The SCA held that the city and other state entities were entitled to be concerned about the integrity of company directors with whom they envisaged doing business. It found this to be the reason that the tender documents required answers to questions about convictions relating to fraud and corrupt activities. It agreed with the finding of the High Court that all of the requirements of a fraudulent misrepresentation had been met, which rendered the contract voidable. ‘Our courts have repeatedly recognised the widespread nature of fraud and corruption, and its corrosive effect on society. I am in agreement with counsel for the city that a punitive costs order on appeal is equally justified,’ the judgment read. The report notes the appeal was dismissed with costs.”

Full Cape Times report (subscription needed) Legalbrief 1 July 2020

- **Local government**

“Revealed: 18 of the worst municipal money horror stories in SA” [News24](#) 3 July 2020

Washinyira T “Sophiatown bursts into protests” [GroundUp](#) 29 June 2020

“AG’s report reveals the municipalities where money goes to waste” [Mail & Guardian](#) 2 July 2020

Chapagain J and Steer A “Disaster preparedness can’t wait” [Mail & Guardian](#) 2 July 2020

- **Mining**

Larkin P “SA no longer features on Top 100 companies list” [IOL](#) 3 July 2020

“French giant looks for more oil off SA” [Biznews](#) 4 July 2020

“Covid-19 calls for balance strategy for technical audits” [Bizcommunity](#) 3 July 2020

“What will the SA mining industry look like after the pandemic?” [Bizcommunity](#) 3 July 2020

- **Water, oceans, waste and chemicals**

Burger S “Public-led, private-backed water infrastructure roll-out signalled” [Engineering News](#) 3 July 2020

Water: Engineers' group warns on municipal dysfunction

“The SA Academy of Engineering (SAAE) has expressed deep concern about the looming crisis threatening SA’s water security mainly because of the growing dysfunction in the municipalities responsible for water supply and sanitation services. A BusinessLIVE report notes that the academy said throwing scarce public money at the problems would not solve them, and what was required was a more strategic approach. It has written to President Cyril Ramaphosa to advise him that the failing municipal water services require urgent restructuring ‘to halt the destructive cycle of wasteful investment and incompetent management’. The academy warned that the R20bn allocated to municipalities as part of the R500bn Covid-19 relief package would be wasted unless it was used to build properly designed infrastructure that would be operated correctly. The main causes of the water crisis, it said, were weak management, a lack of competent and experienced professional and technical staff, political interference in the day-to-day operations, and poor oversight resulting from the limited separation of powers between political policymakers and the executive management in water services authorities.”

Full BusinessLIVE report (subscription needed) Legalbrief Environmental 30 June 2020

Water: Strandfontein desalination plant decommissioned

“The City of Cape Town has decided to decommission the temporary Strandfontein desalination plant after two years of operation. A Cape Argus report notes that, according to the City, it had gained valuable knowledge about managing desalination plants through hands-on experience with the technology. ‘We are now confident that we are capable of successfully pursuing the large-scale desalination project included in the Water Strategy, our roadmap towards greater resilience and

water security in the face of shifting climate realities,' the City said. Mayco member for water and waste Xanthea Limberg said: 'They say that one should never let a good crisis go to waste, and while the going was tough during the worst drought in our recorded history, this project has shown that we can produce clean, SA national standard 241-approved drinking water through desalination. Successfully concluding this project brings us a step closer towards achieving resilience through alternative water sources and large-scale desalination.'"

Full Cape Argus report (subscription needed) Legalbrief Environmental 30 June 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Lamont-Doherty Earth [Observatory](#): Tedesco M "It's Time to Rethink the Practice of Whale Watching" 2 July 2020

Cossin J "Federal appeals court rules Trump's use of defense funds for border wall was illegal" [The Jurist](#) 28 June 2020

Bloomberg A "Supreme Court declines to consider border wall waiver case" [USA] [The Jurist](#) 29 June 2020

"356 elephants die from a mysterious disease in Botswana" [Ink](#) 30 June 2020

Benza B and Winning A "Botswana top vet defends investigations into unexplained elephant deaths" [Reuters](#) 3 July 2020

"Swarms of locusts devastate parts of northern Kenya" [TimesLive](#) 1 July 2020

Boyle L "Satellite images reveal spread of Amazon fires amid fears over deforestation in looming dry season" [The Independent](#) 3 July 2020

Cockburn H "Climate crisis: Rising temperatures could cause mass die-off of tropical plants by 2070, research suggests" [The Independent](#) 3 July 2020

Cockburn H "Beavers born in Essex for 'first time since Middle Ages'" [The Independent](#) 3 July 2020

Cockburn H "Climate crisis: Beaver boom in warming Arctic risks releasing greenhouse gases, study suggests" [The Independent](#) 1 July 2020

"Indian state of Nagaland bans sale of dog meat" [The Guardian](#) 4 July 2020

Harvey F "Dry tropical forests may be more at risk than wet rainforests, study says" [The Guardian](#) 3 July 2020

Yurk V "60% of fish species could be unable to survive in current areas by 2100 – study" [The Guardian](#) 2 July 2020

Angelo M "COVID-19 fears grow for isolated indigenous people in Brazil's Amazon" [Thomson Reuters Foundation](#) 30 June 2020

"Fewer than 20 extinctions a year: does the world need a single target for biodiversity?" [Nature.com](#) 30 June 2020

- **Climate change and energy**

“Canada identifies eight project types for federal offset protocol development” [Carbon Pulse](#) 2 July 2020

“Australia eases path for plantation forest carbon projects in five regional hubs” [Carbon Pulse](#) 2 July 2020

“China's CNPC targets 50% slash in methane emission intensity by 2025” [Reuters](#) 2 July 2020

“Equinor to build hydrogen plant with carbon capture in Britain” [Reuters](#) 1 July 2020

“US House Democrats back CO2 pricing, national LCFS for 2050 net zero goal” [Carbon Pulse](#) 30 June 2020

“German Parliament adopts coal phaseout act, setting shutdown for 2038” [Carbon Pulse](#) 3 July 2020

“EDF raises 2020 French nuclear output target” [Carbon Pulse](#) 3 July 2020

Ambrose J “UK gives go-ahead to giant windfarm project off Norfolk coast” [The Guardian](#) 2 July 2020

Green M, Volcovici V and Farge E “Climate battles are moving into the courtroom, and lawyers are getting creative” [Reuters](#) 3 July 2020

Morton A “Heatwaves have become longer in most of the world since 1950s – study” [The Guardian](#) 3 July 2020

Roberts D “House Democrats just put out the most detailed climate plan in US political history” [Vox](#) 30 June 2020

Harvey F “US to join summit on global green recovery from Covid-19 crisis” [The Guardian](#) 29 June 2020

Reay D “Merkel and Macron urge introduction of EU carbon border tax” [CleanEnergyWire](#) 30 June 2020

Rathi A “Norway’s \$2.6 Billion Green Bet Could Help the Whole Planet” [Bloomberg](#) 30 June 2020

“PM: A New Deal for Britain” [gov.uk](#) 30 June 2020

Harvey F “Environmental experts dismayed by details of Johnson's 'New Deal'” [The Guardian](#) 30 June 2020

Bousso R “Shell to cut asset values by up to \$22 billion after coronavirus hit” [Reuters](#) 30 June 2020

Lei Zhang and Lin Lu “First Grid-Connected Battery Storage System to Improve Clean Energy Access in Pakistan” [Development Asia](#) July 2020

Rowling M “Solar energy can help keep health facilities alive worldwide” [BusinessLive](#) 4 July 2020

Gregory A “Greenpeace UK fined £80,000 and found guilty of contempt of court after BP oil rig protest” [The Independent](#) 3 July 2020

Cockburn H “Climate crisis: Government not on track to meet net zero targets and risks are ‘bigger than coronavirus’” [UK] [The Independent](#) 3 July 2020

Cockburn H “Climate crisis: 150 years of industrialisation has undone 6,000 years of global cooling, study shows” [The Independent](#) 30 June 2020

Boyle L “Democrats announce climate road map focused on racial justice” [The Independent](#) 30 June 2020

Parrish W “Revealed: legislators’ pro-pipeline letters ghostwritten by fossil fuel company” [The Guardian](#) 2 July 2020

“German parliament passes coal exit bill” [Reuters](#) 3 July 2020 – read also [here](#)

Wehrman B “Bumpy conclusion of Germany’s landmark coal act clears way to next energy transition chapters” [CleanEnergyWire](#) 3 July 2020

Abnett K “EU overestimates impact of its climate spending, auditors say” [Reuters](#) 3 July 2020

Appunn K “Germany’s wind power records conceal sector’s woes, industry group BWE says” [CleanEnergyWire](#) 2 July 2020

- **Environmental enforcement**

Harvey F “‘New deal’ risks fuelling emissions and eroding building standards” [The Guardian](#) 30 June 2020

Grossman B “Environmental Litigation: A Tool in the Fight Against Environmental Racism” [WSC](#) 22 June 2020 – also read [here](#)

- **Local government**

Basak C “The Need for a National Cycling Policy in India” [The Jurist](#) 30 June 2020

Goering L “Green champion Lisbon backs city-centre living after tourism dive” [Thomas Reuters Foundation](#) 29 June 2020

Mavrokefalidis D “The Aussie Big Bang: Sydney’s local authority is now powered by 100% renewables” [Energy Live News](#) 2 July 2020

- **Mining**

Beeken E “ICJ holds first virtual hearing over Guyana-Venezuela land dispute” [The Jurist](#) 1 July 2020

Sharma D “Environmental Accountability: Russia’s Norilsk Oil Spill” [The Jurist](#) 30 June 2020

Webb M “Nornickel board sets up environmental task team in wake of Arctic spill” [Mining Weekly](#) 2 July 2020

Cox L “NSW mine could face multimillion-dollar fine for allegedly breaching water law” [The Guardian](#) 2 July 2020

Iannucci E “S Australia establishes mining liaison service” [Mining Weekly](#) 3 July 2020

“Vedanta's Zambia copper unit warns part of Nchanga openpit mine about to collapse” [Mining Weekly](#) 3 July 2020

“Small tailings dam collapses in Ecuador, communities denounce pollution” [Reuters](#) 3 July 2020

- **Water, waste, oceans and chemicals**

“Record 56 million tons e-waste dumped globally, says top UN report” [News24](#) 2 July 2020

Gill V “Coronavirus: Testing sewage an 'easy win'” [BBC](#) 2 July 2020

Taylor D “UK waste firm Biffa loses appeal after exporting dirty waste to China” [The Guardian](#) 3 July 2020

Laville S and McIntyre N “Exclusive: water firms discharged raw sewage into England's rivers 200,000 times in 2019” [The Guardian](#) 1 July 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Muhammad-Bande T and Juul M “International Solidarity Shouldn't End with COVID-19: We Must Deliver for All” 2 July 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

MacRobert Attorneys: Candidate Attorney 2022 (Durban Branch)

Closing date: 1 December 2020

More [information](#)

University of Cape Town: Professor/Associate Professor in Private law (Equity position)

Closing date: 15 July 2020

More [information](#)

University of Cape Town: Lecturer/Senior Lecturer in Private Law (preferably Equity position)

Closing date: 15 July 2020

More [information](#)

Stellenbosch University, Faculty of Law, Department of Public Law

Closing date: 10 July 2020

Enquiries: Prof. Henk Botha, Head of Department of Public Law, on 021 808 3195/4104 or [email](#)

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International

AfricaLics – the African Network for Economics of Learning, Innovation and Competence Building Systems is now looking for suitable PhD student

Candidates from universities in African countries may participate in the AfricaLics PhD Visiting Fellowship Programme (2021 batch) focused on Innovation and Development. The programme allows successful candidates a study period of five months based at the Department of Political Science, Faculty of Social Science, Aalborg University, Denmark.

Eligible scholars may have a background in economics and/or other social sciences (Sociology, Political Science, Science and Technology Policy, Geography, History or Development Studies), but can also be in STEM (science, technology, engineering or mathematics) subjects or even manufacturing. To understand more about the field of innovation and development and see if your work fits within this research area, please look at the papers published in relevant journals including (but not only) the following: *Research Policy*, *Innovation and Development*, *African Journal of Science, Technology, Innovation and Development*, *Technological Forecasting and Social Change*, *Technology in Society*, *Journal of Product Innovation Management*, *Technovation*, *Industry and Innovation*.

Eligibility

The scholarship option is open to PhD students from [low and lower-middle income](#) countries in Africa whose studies – irrespective of sectoral discipline – focus on innovation and development. Female PhD students are particularly encouraged to apply as AfricaLics endeavours to contribute to increasing the currently low number of female scholars in Innovation and Development research studies in Africa. Likewise, PhD students from low-income countries are particularly encouraged to apply as AfricaLics endeavours to increase research capacity in Innovation and Development in low-income countries in Africa.

Applicants must be enrolled as PhD students at African universities and must have completed their first year of PhD studies by December 2020. A maximum of four visiting scholarships are available for 2021. The visiting scholarship is complementary to the studies of the PhD students and applicants must already have secured basic funding for their PhD studies from other sources (e.g. African governments, other organisations, self-financing).

The programme gives priority to students working on topics related to the [research themes](#) identified by the AfricaLics network as important to the future of Africa.

Apply

Full information about the fellowships can be found [here](#)

The application form can be downloaded [here](#).

Applications with all relevant attachments should be [emailed](#) by 31st July 2020 (COB).

Questions may also be [emailed](#).

Senior Technical Advisor on EU Climate Policies, UNDP – Remote Working
More [information](#)

Senior Policy Analyst, Nova Scotia Environment – Halifax

Closing date: 10 July 2020

More [information](#)

Associate Director, Investments, Natural Climate Solutions, New Forests – Sydney

More [information](#)

Head of Climate Finance and Carbon Market Policy, Gold Standard – Flexible Location

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.



A Public Benefit Organisation



ELA NEWSLETTER 28

10 July 2020

Level 3 Lockdown

Remember to send your abstracts for the ELA e-Conference: Closing date 31 July 2020.

Keep safe and keep contact via Facebook, the website, upcoming webinars and our monthly ELA Streaming Club.

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN 748 in GG 43503 of 3 July 2020 - COGTA COVID-19 Disaster Response Directions, 2020 applicable to provinces, municipalities and institutions of Traditional Leadership published in GN R399 in GG 43147 of 25 March 2020 amended
- GN 749 in GG 43504 of 3 July 2020 - Home Affairs Directions to Prevent and Combat the Spread of COVID-19 published in GN 416 in GG 43162 of 26 March 2020 amended
- GN 751 in GG 43507 of 6 July 2020 - Resumption of contact and non-contact sport and the opening of places and premises for arts and cultural activities published and GN 461 in GG 43226 of 9 April 2020 amended
- GenN 370 in GG 43510 of 7 July 2020, corrected by GN 371 in GG 43511 of 8 July 2020 - Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published in GenN 343 in GG 43465 of 23 June 2020 amended

NOTICES

Plant Breeders' Rights Act 15 of 1976 - GN 754 in GG 43514 of 10 July 2020 - Receipt of applications for plant breeders' rights

National Nuclear Regulator Act 47 of 1999 – Gen Notice 377 in GG 43514 of 10 July 2020 - Application for a Nuclear Installation Licence in terms of s. 21 (3) - for comment

Electricity Regulation Act 4 of 2006 - GN 753 in GG 43509 of 7 July 2020 - Determination under s. 34 (1) regarding new generation capacity

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20286 in PG 8268 of 10 July 2020 - Cederberg Local Municipality - Zoning Scheme By-law

Western Cape Land Use Planning Act 3 of 2014 - LAN 20277 in PG 8270 of 10 July 2020 - Cederberg Local Municipality - Zoning Scheme Map

CASES

National

MEB Energy (Pty) Ltd v Ndlambe Local Municipality and Others (871/2020) [2020] [ZAECHGHC](#) 70 (7 July 2020)

Bid for RO Plant Kowie River – change of specifications – waste water treatment plant – water need –competitive bidding process – tender declared unlawful

International

Standing Rock Sioux Tribe, et al., and Cheyenne River Sioux Tribe, et al v. U.S. Army Corps of Engineers and Dakota Access, LLC Civil Action No. [16-1534](#) (JEB) United States District Court for the District of Columbia Decided 7 July 2020

“Lake Oahe is a large reservoir lying behind a dam on the Missouri River and stretching between North and South Dakota. Fearing severe environmental consequences, American Indian Tribes on nearby reservations have sought for several years to invalidate federal permits allowing the Dakota Access Pipeline to carry oil under the lake. Today they finally achieve that goal — at least for the time being. Following multiple twists and turns in this long-running litigation, this Court recently found that Defendant U.S. Army Corps of Engineers had violated the National Environmental Policy Act when it granted an easement to Defendant-Intervenor Dakota Access, LLC to construct and operate a segment of that crude-oil pipeline running beneath the lake. This was because the Corps had failed to produce an Environmental Impact Statement despite conditions that triggered such a requirement. The Court consequently remanded the case to the agency to prepare such an EIS, but it asked for separate briefing on the appropriate interim remedy. In other words, the Court asked the parties whether the easement should be vacated and the pipeline emptied during the remand process. Although mindful of the disruption such a shutdown will cause, the Court now concludes that the answer is yes. Clear precedent favoring vacatur during such a remand coupled with the seriousness of the Corps’ deficiencies outweighs the negative effects of halting the oil flow for the thirteen months that the Corps believes the creation of an EIS will take.”

Board of County Commissioners of Boulder County; Board of County Commissioners of San Miguel County; City of Boulder v. Suncor Energy (U.S.A.) Inc.; Suncor Energy Sales Inc.; Suncor Energy Inc.; Exxon Mobil Corporation Case No. [19-1330](#) United States Court of Appeals for the Tenth Circuit Decided 7 July 2020

“This appeal concerns whether federal court is the proper forum for a suit filed in Colorado state court by local governmental entities for the global warming-related damage allegedly caused by oil and gas companies in Colorado. Suncor Energy and ExxonMobil advanced seven bases for federal subject matter jurisdiction in removing the action to federal court, each of which the district court rejected in its remand order. Suncor Energy and ExxonMobil now appeal, relying on six of those bases for federal jurisdiction. We hold, however, that 28 U.S.C. § 1447(d) limits our appellate jurisdiction to just one of them—federal officer removal under 28 U.S.C. § 1442(a)(1). And because we conclude ExxonMobil failed to establish grounds for federal officer removal, we affirm the district court’s order on that basis and dismiss the remainder of this appeal.”

[*Ecology Action Centre, et al. v. Minister of Environment and Climate Change*](#), 2020 FC 663 (Ottawa Federal Court)

Court Allowed Case Against Canada for Failing to Assess Climate Impacts of Offshore Drilling [July 2020 Sabin Center for Climate Change Law Update]

[*Vince, et al. v. Secretary of State for Business, Energy and Industrial Strategy, et al.*](#), CO/1832/2020 (Planning Court)

Plaintiffs Challenged UK Energy National Policy Statements on Climate Grounds [July 2020 Sabin Center for Climate Change Law Update]

[*Notre Affaire à Tous v. France*](#) (Administrative Court of Paris) 14 March 2020

“French Government responded to claims that Human Rights Law requires further action on climate change

On March 14, 2019, Fondation pour la Nature et l’Homme (FNH), Greenpeace France, Notre Affaire à Tous and Oxfam France filed a lawsuit seeking that the State of France be enjoined to remedy its alleged inadequate action on climate change. Plaintiffs argue that the government has a duty to address climate change under the French Charter for the Environment, the European Convention for the Protection of Human Rights and Fundamental Freedoms and the general principle of law providing the right of every person to live in a preserved climate system. Plaintiffs additionally argue the State has further “specific” obligations to mitigate greenhouse gas emissions under EU and national law as well as a mandate to take action to prepare for the impacts of climate change on France. On June 26, 2020 the government responded. According to the plaintiffs, the government asserted that it was taking action to address greenhouse gas emissions, and that the time has not elapsed for it to meet its 2020 goals.” [July 2020 Sabin Center for Climate Change Law Update]

PUBLICATIONS

National

PUBLICATIONS

National

Murcott Melanie & Webster Emily "Litigation and regulatory governance in the age of the Anthropocene: the case of fracking in the Karoo" 2020 11(1-2) [Transnational Legal Theory](https://doi.org/10.1080/20414005.2020.1777037) 144-164 <https://doi.org/10.1080/20414005.2020.1777037>

Kotzé Louis "Earth system law for the Anthropocene: rethinking environmental law alongside the Earth system metaphor" 2020 11(1-2) [Transnational Legal Theory](https://doi.org/10.1080/20414005.2020.1776556) 75-104 <https://doi.org/10.1080/20414005.2020.1776556>

Viljoen Germarié "Critical perspectives on South Africa's groundwater law: established practice and the novel concept of public trusteeship" 2020 [Journal of Energy & Natural Resources Law](https://doi.org/10.1080/02646811.2020.1775389) DOI: 10.1080/02646811.2020.1775389

2020 116 [South African Journal of Science](#) Special issue July

SARCPL Call for Abstracts: Property responses to a global pandemic - Call for chapter contributions

The South African Research Chair in Property Law (SARCPL), hosted by the Faculty of Law at Stellenbosch University provides a platform for scholars who can take the development of property law forward in the new constitutional era. As such, the SARCPL recognises that Covid-19 has affected almost every aspect of the daily lives of South Africans, and its effects will be felt for years, possibly decades to come. But what is the impact of Covid-19 on property rights? Against this background, the SARCPL and JUTA have collaborated to invite essays exploring some of these challenges, in the context of property law. Authors are invited to write on any topic relating to property law and Covid-19. Interested scholars and practitioners can send abstracts not exceeding 300 words to [Mpho Tlale](#) or [Sameera](#).

Important dates

Submission of abstracts 20 July, 2020.

Feedback on abstracts 31 July, 2020.

Submission of completed essays 2 October, 2020.

Publication of volume June, 2021.

For more information, visit the [SARCPL website](#).

International

Randall A (ed) *What can Animal Law Learn from Environmental Law?* (Environmental Law [Institute Press](#) Washington 2020) – for the book launch click [here](#)

2020 11(1-2) [Transnational Legal Theory](#)

McCarthy M and Hammond Antwib SA “COVID-19 energy sector responses in Africa: A review of preliminary government interventions” 2020 68 [Energy Research & Social Science](#) 101681 <https://doi.org/10.1016/j.erss.2020.101681>

UNEP “Working with the environment to protect people UNEP’s COVID-19 Response” ([Report](#) July 2020) [provided by Inge Snyman]

UNEP “Preventing the next pandemic: Zoonotic diseases and how to break the chain of transmission” ([Report](#) July 2020) [provided by Inge Snyman]

Hodges K and Jackson J “Pandemics and the global environment” 2020 6(28) [Science Advances](#) DOI: 10.1126/sciadv.abd1325

2020 July [Energy Review](#) now available

2020 9(2) [Transnational Environmental Law](#) now available

Mustec “Representative CSP Case Studies and Assessment of the Pros and Cons” (Working [Document](#) June 2020)

Nugun P *et al* “Exploring smallholders’ cultural beliefs and their implication for adaptation to climate change in North-Western Nigeria” 2020 *The Social Science Journal* DOI: 10.1080/03623319.2020.1774720

Bauer A and Menrad K “The nexus between moral licensing and behavioral consistency: Is organic consumption a door-opener for commitment to climate protection?” 2020 *The Social Science Journal* DOI: 10.1080/03623319.2020.1757350

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas, animal rights and culture**

[Daily Maverick](#): Ledwaba L “Close Encounters of the Fourth Kind: Limpopo farmers consume marauding elephants” 9 July 2020

[Daily Maverick](#): Ho U “Aardvark starvation: Extreme drought killing off food sources” 9 July 2020

- **Climate change**

[Mail & Guardian](#): Skiti S “Eskom refers employees suspected of contracts graft for criminal investigations” 7 July 2020

[Daily Maverick](#): Guterres A “Say ‘no’ to new coal, embrace a clean energy future” 9 July 2020

[Daily Maverick](#): McDaid L “Our nuclear legacy is a dangerous distraction from energy security for all South Africans” 6 July 2020

[Cova Advisory](#): Recording of Webinar: “Carbon tax reduction strategies: understanding the allowances” held 9 July 2020 now available on [request](#) – Slide deck available [here](#) [provided by Andrew Gilder ClimateLegal]

Local government

[Mail & Guardian](#): “Balwin properties and Absa launch South Africa’s first green home loan” 8 July 2020

[Daily Maverick](#): Mertens M “Reflecting on public spaces as bulldozers make history in District Six” 10 July 2020

- **Mining**

[Mail & Guardian](#): Smit S “Toxic dust from an abandoned mine coupled with Covid-19 is a tinderbox” 9 July 2020

- **Water, waste, oceans and chemicals**

[Daily Maverick](#): Venter A “Pesticides and chemical fertilisers are the silent killers in our food chain — and they’re wiping out wildlife” 6 July 2020

[The Conversation](#): Tomita A and Slotow R “South African study highlights growing number of landfill sites, and health risks” 9 July 2020

- **Miscellaneous**

[amaBhugane](#): Ritchie G “What happened to the Sassa food parcels?” 8 July 2020

[Mail & Guardian](#): Mathe T “Jury’s out on green recovery” 9 July 2020

[Daily Maverick](#): Du Plessis C “ANC’s post-pandemic plan for economic revival set to trigger heated debate” 10 July 2020

[GroundUp](#): Seekings J “Who is responsible for government’s failure to deliver?” 3 July 2020

Africa

- **Biodiversity, protected areas and culture**

[Ink](#): Bosaletswe C “Botswana is landlocked, but is still exporting shark fins” 6 July 2020

[Daily Maverick](#): “Botswana gets first test results on elephant deaths” 10 July 2020 – read [Business Insider](#)

- **Local government**

[The Conversation](#): Kimani-Murage E “Testing strategies to help Kenya’s urban poor get access to food” 9 July 2020

- **Mining**

[Lexology](#): “At a glance: oil exploration and production in Senegal” 11 June 2019

[Extractives Baraza](#): “Company Links Up with Small Scale Gold Miners to Cut Use of Mercury” 8 July 2020

[Extractives Baraza](#): “Keep SMB’s Congo Coltan Mine in Supply Chains, Says Mineral Tracker” 8 July 2020

- **Water, waste, oceans and chemicals**

[Bizcommunity](#): “Trilateral talks resume on Grand Renaissance hydroelectric project” 8 July 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Lexology](#): “FATF Plenary Outcomes and Illegal Wildlife Trafficking Report” 6 July 2020

[Lexology](#): “EPA NAM Work Plan Intends to Reduce Use of Animals in Chemical Testing” [USA] 7 July 2020

[IISD](#) SDG Knowledge Hub: Pesce F “A Place for Nature at the High-Level Political Forum” 9 July 2020

[IISD](#) SDG Knowledge Hub: 15th Session of the UN Forum on Forests (UNFF15) | June 2020 | Online

[Science](#): Ortega RP “A conservation scientist enlists Colombia’s ex-guerrillas in a new cause: preserving their country’s biodiversity” 8 July 2020

[Science](#): O’Grady C “Hummingbirds can count their way to food” 7 July 2020

[Thomas Reuters Foundation](#): Mersie A “How to rid East Africa of locusts? Serve them in a kebab or drive them to cannibalism” 2 July 2020

[IISD](#) SDG Knowledge Hub: Lucas P, Maas T and Brouwer E-J “Agreeing on Transformative Action under Extraordinary Conditions” 7 July 2020

- **Climate change and energy**

[Energypost.eu](#): Ratka S and Boshell F “The nexus between data centres, efficiency and renewables: a role model for the energy transition” 26 June 2020 – read also the IRENA [Report](#)

European Commission [Climate Action](#): “EU, Canada and China co-host international meeting on climate cooperation and a sustainable economic recovery” 7 July 2020

[Sabin Center](#) for Climate Change Law: “Summer Reading List on Climate Justice”

Climate Law [Blog](#): Aidun H “Local Government Coalitions File Brief Supporting California’s Authority To Set Climate-Protective Vehicle Emissions Standards” 6 July 2020

[Sabin Centre](#) on Environmental Law: “Climate Change in the Courts Webinar, June 5, 2020”

[LSU Law Center](#): “Solving The Climate Crisis: The Congressional Action Plan for a Clean Energy Economy and a Healthy, Resilient, and Just America” 6 July 2020

[Lexology](#): “Peru - draft guidelines for the use of the "Peru's carbon footprint" digital platform” 1 July 2020

[Lexology](#): “At a glance: natural gas pipeline transportation and storage in France” 10 March 2020

[Lexology](#): “New Planning Rules for Wind Farms & Solar Farms in SA” 2 July 2020

[Future Planet](#): Timperley J “The law that could make climate change illegal” 8 July 2020

[Lexology](#): “Golden Door Slammed Shut on County’s CEQA Process Again” [USA] 1 July 2020

[Lexology](#): “A coherent climate change strategy is a vital as ever for insurers” [USA] 8 July 2020

[Lexology](#): “Supreme Court Revives Use of NWP 12 but Uncertainty Remains” [USA] 8 July 2020

[Lexology](#): “Milieu en klimaat met elkaar in de knoop” [EU/Belgium] [discuss case on wind power] 8 July 2020

[Lexology](#): “Regulators now expect action on UK financial services firms’ approach to managing climate risks” 6 July 2020

[Lexology](#): “Hydrogen: Is it about to take off?”[UK] 7 July 2020

[Lexology](#): “In brief: natural gas production in United Kingdom” 10 March 2020

[Lexology](#): “At a glance: oil exploration and production in United Kingdom” 11 June 2019

[Lexology](#): “At a glance: natural gas pipeline transportation and storage in India” 10 March 2020

[Science](#): Voosen P “NSF campaign will drill for ice capturing West Antarctica’s last collapse” 10 July 2020

[European Commission](#): “Special advisers to the European Commission - List of special advisers to the President, Commissioners and other senior managers of the current Commission 2020 (1/4/2020-31/03/2021)” [also 19 year old activist]

[Lexology](#): “Analysis of Royal Decree-Law 23/2020, of 23 June: its impact on renewable energy” [Spain] 8 July 2020

[American Carbon Registry](#): “Landfill Gas Destruction and Beneficial Use Projects” July 2020

[Lexology](#): “At a glance: natural gas pipeline transportation and storage in Germany” 10 March 2020

[IISD](#) SDG Knowledge Hub: Wagner L “Cost of Renewable Power is Falling, Share is Growing in Power Sector” 7 July 2020

[CleanEnergyWire](#): Thalman E and Wettengel J “The story of “Climate Chancellor” Angela Merkel” 9 July 2020

European University [Institute](#): Feil A “Changes in Brazil’s generation mix” 1 July 2020

European University [Institute](#): Feil A “The role of natural gas in Brazil’s energy mix” 7 July 2020

- **Environmental enforcement**

[Lexology](#): “United States: Trump Administration Issues Executive Order Seeking to Expedite Environmental Reviews for Infrastructure Projects” 4 July 2020

[Lexology](#): “Establishment of a Specialised Planning and Environmental Court Proposed” [Ireland] 3 July 2020

[Lexology](#): “Environmental law in Malta” 20 November 2019

[Lexology](#): “Environmental law in Netherlands” 20 November 2019

[Lexology](#): “Environmental law in Portugal” 29 November 2019

[Lexology](#): “Environmental law in Mexico” 20 November 2019

[Lexology](#): “Environmental law in Belgium” 20 November 2019

[Lexology](#): “COVID-19 Phase 2 and environmental procedural law” [Austria] 6 July 2020

[Lexology](#): “Online Environmental Compliance Tools” [USA] 6 July 2020

[Lexology](#): “Nieuwe wet- en regelgeving bestuursrecht en omgevingsrecht per 1 juli 2020” [New administrative and environmental legislation Netherlands] 7 July 2020

[Lexology](#): “Building back better, greener and faster” [UK] 30 June 2020

[Lexology](#): “In review: environmental protection regulations in Australia” 27 February 2020

[Lexology](#): “Fourth Circuit Rejects NEPA Challenge as Untimely” [USA] 8 July 2020

[Lexology](#): “Tenth Circuit Rejects EPA’s Position on Renewal of Clean Air Act Permits” [USA] 9 July 2020

[Lexology](#): “In review: environmental protection regulations in Chile” 27 February 2020

[Lexology](#): “At a glance: enforcement of environmental law in Dominican Republic” 29 November 2019

[Lexology](#): “At a glance: enforcement of environmental law in China” 20 November 2019

[Lexology](#): “In review: environmental protection regulations in Canada” 27 February 2020

[Lexology](#): “In review: environmental protection regulations in Brazil” 27 February 2020

[Lexology](#): “Amendments to the EPA Regulation- NSW Planning Portal” [Australia] 7 July 2020

- **Local government**

[IISD](#) SDG Knowledge Hub: Mead L “Guidelines for Voluntary Local Reviews Support Communities’ Assessments of SDG Progress” 9 July 2020

[IISD](#) SDG Knowledge Hub: Coverage of Selected Side Events at the 2020 High-Level Political Forum on Sustainable Development (HLPF 2020) | 7-16 July 2020 | UN Headquarters, New York | Events Covered on Friday, 10 July 2020 | Local and Regional Governments Day Event: Accelerating Transformation from the Ground-up in a Post-COVID Era - Presented by United Cities and Local Governments (UCLG)

[Lexology](#): “General Plan Environmental Justice Guidelines: Do They Apply To You?” [USA] 7 July 2020

[Thomas Reuters Foundation](#): Triveno L and Nielsen O “Opinion: Rethinking housing policies for the post COVID-19 world” 6 July 2020

- **Mining**

[Lexology](#): “At a glance: oil exploration and production in Portugal” 11 June 2020

[Daily Maverick](#): “Copper Is Surging, But It Doesn’t Mean Economy Is Booming” 10 July 2020

[Lexology](#): “Australia: Queensland's proposed enhancements to its world-leading mining rehabilitation framework” 9 July 2020

[Lexology](#): “Release of new petroleum exploration tenements for competitive tender” [Australia] 7 July 2020

[Lexology](#): “At a glance: oil exploration and production in Peru” 11 June 2019

[Science](#): Price M “Underwater caves in Mexico preserve one of the world’s oldest ochre mines” 3 July 2020

[Lexology](#): “Argentina, Mining and Glacier Protection” 8 July 2020

“Indonesia group seeks judicial review over new mining law” [Mining Weekly](#) 10 July 2020

- **Water, oceans, waste and chemicals**

[Usbr.gov](#): Letter by tribes to government to develop integrated plan for water in Colorado river

[IISD](#) SDG Knowledge Hub: Mead L “Grouping of Chemicals Facilitates Better Risk Management: European Chemicals Agency” 9 July 2020

[Lexology](#): “Already? Conflicting Rulings on 2020 WOTUS Rule” [USA] 7 July 2020

[IISD](#) SDG Knowledge Hub: Mead L “SAICM Communities of Practice Foster Dialogue on Chemicals and Waste Management” 7 July 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Van de Wijs PP “All Aboard for a Virtual HLPF – It’s Time for Transparency and Action” 9 July 2020

[IISD](#) SDG Knowledge Hub: Kosolapova E “UN75 Declaration Finalized Following Silence Procedure” 9 July 2020

[IISD](#) SDG Knowledge Hub: 2020 High-Level Political Forum on Sustainable Development (HLPF 2020) | Accelerated Action and Transformative Pathways: Realizing the Decade of Action and Delivery for Sustainable Development 7-16 July 2020 | UN Headquarters, New York

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club Session 3: Save the date

Date: Tuesday, 28 July 2020

Time: 19:00 SA time

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 31 July 2020

More information will follow

The call for papers emailed separately.

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: 31 July 2020

Place: Virtual

The call for papers emailed separately.

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

South African Young Academy of Science (SAYAS) Webinar: What Science will look like after COVID-19? COVID-19 and its Impact on Knowledge Production and Research in Africa

Date: 23 July 2020

Time: 11:00 – 12:30

Follow the [link](#) to register for the event.

International

WMO: Climatological, Meteorological and Environmental factors in the COVID-19 pandemic (online event) - An international virtual symposium on drivers, predictability and actionable information – Call for Abstracts

Date: 4-6 August 2020

More [information](#)

University of Eastern Finland (UEF) Law School in cooperation with the UEF Center for Climate Change, Energy and Environmental Law 7th Energy Transitions conference

Date: March 2021

The organisers of this conference would like to warmly welcome everyone interested in energy law and policy to the conference.

[Website](#)

International Renewable Energy Agency (IRENA) third edition of IRENA Innovation Week

A virtual gathering of policymakers, innovators, developers and investors from across IRENA's diverse global membership, to explore how systemic innovative solutions can support the use of renewable energy in the energy-end-use sectors of transport and industry:

Dates: Monday, 5 October – Thursday, 8 October 2020

IRENA Innovation Week 2020 will explore the challenges and the emerging innovations in technology, business models and system operation that can support the increased decarbonisation of industry and transport. The event will also showcase emerging solutions from around the world, and aims to identify the actions needed to fully unlock renewable energy potentials in the industrial and transport sectors.

Programme, speakers and registration link will be updated [HERE](#).

For enquiries, send an [email](#).

CMCC Webinar - Urban Climate and Heat Islands - CMCC Series on Urban Adaptation

Date: 16 July 2020

Time: 12:30 -13:30 CEST

Urban heat islands are urban areas that become much warmer than their surroundings as a result of human activities, with several impacts on our climate and our health. Today they are among the most challenging issues for our cities, and will be even more in the future. How can we respond to this challenge? In this webinar, we will explore possible solutions.

For further information, please visit the [webinar web page](#) or contact us via [email](#).
[Registration](#)

NEWS

National

- **Climate change and energy**

Khumalo S “Eskom names contractors in R4 billion Kusile overpayment” [News24](#) 7 July 2020

West E “Sasol to end its gas exploration near Bazaruto after robust pre-feasibility assessment” [IOL](#) 7 July 2020

Booyesen MJ and Apperley T “Electric vehicles could add to carbon emissions and load shedding: but there's a solution” [Bizcommunity](#) 10 July 2020

“Negotiating a just transition from coal” [Bizcommunity](#) 10 July 2020

- **Local government**

Luhanga P and Nocuze B “In photos: Storm causes flooding in Cape Town The City’s Disaster Risk Management says flood kits, sand and milling will be provided to affected informal settlements” [GroundUp](#) 10 July 2020

- **Mining**

“Proposed reporting standard for oil and gas” [Bizcommunity](#) 8 July 2020

Criminal: Diamond dealing trial to start again – SCA

“The permanent stay of prosecution previously won by 13 Kimberley-based business people accused of the illegal dealing in uncut diamonds totalling R28m has been revoked. The Star reports the trial of the diamond dealers nabbed in 2014 following a two-year Hawks probe – code named Project Darling – will be run from scratch, two years after it was scuppered. The SCA has ruled in favour of the application by the NPA to have the case back in court. In 2018, Judge Johann Daffue ruled in favour of their application for a permanent stay of prosecution as they had been prejudiced by unreasonable delays. The 13 won the stay of prosecution just as the NPA sought to have the trial started from scratch, due to the fact that a trial judge had recused herself from the case, apparently due to threats she received for presiding over the matter. Daffue ruled: ‘The delay ... must be attributed to the inaction of the state advocates.’ But SCA Acting Judge Willem Eksteen [ruled](#) that the delays could not be blamed on the state, nor could they be declared unreasonable. He also found that the 13 failed to prove that they would

suffer prejudice in a fresh trial. They faced 139 charges that included racketeering, corruption and illegal dealing in uncut diamonds.”

Full report in The Star (subscription needed) Legalbrief Forensic 9 July 2020

- **Water, oceans, waste and chemicals**

Postman Z “Three months in prison for trying to recycle waste during lockdown - Reclaimers finally released from prison in Tshwane” [GroundUp](#) 8 July 2020

General: Water-use licence turnaround welcomed by expert

“Achieving a 90-day turnaround for the water-use licence application (Wula) process will be a welcome step for the struggling economy, according to SRK Consulting principal scientist Jacky Burke. Changes will be necessary, though, before the regional and national offices can make a 90-day process a reality, Burke noted, according to a media statement yesterday. ‘It remains vital that the licences issued in this 90-day process will in fact still serve the purpose of protecting our water resources; this means the licence cannot be too generic but should be specific to the activity or operation being authorised, and take into account the specific catchment requirements,’ she said. ‘A shorter processing window is certainly the right approach to support getting our Covid-impacted economy back on its feet.’ She said it would also provide real socio-economic benefit to water users – particularly emerging water users – and surrounding communities. The Department of Water and Sanitation recently revised the regulations on Wula procedures, following a State of the Nation declaration by President Cyril Ramaphosa in February. He announced that water-use licences should be processed in 90 days, rather than the 300 days prescribed by previous regulations.” Legalbrief 9 July 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Carrington D “Wild bison to return to UK for first time in 6,000 years” [The Guardian](#) 10 July 2020

Johnson HS “Istanbul’s world-famous tourist attraction converted into a mosque” [eTN](#) 10 July 2020

Paraguassu L and Spring J “Brazil bans fires in Amazon rainforest as investors demand results” [Reuters](#) 9 July 2020

“Brazilian companies join call for action on Amazon deforestation” [Reuters](#) 7 July 2020

Iglesias S, Andrade V and Adghirni S “After snubbing Amazon donations, Brazil hopes they’ll resume” [IOL](#) 11 July 2020

Pagach S “Ninth Circuit upholds Endangered Species Act protections for Yellowstone grizzly bears” [The Jurist](#) 10 July 2020

Boyle L “UN warns of ‘steady stream’ of infectious diseases unless world tackles wildlife exploitation” [The Independent](#) 6 July 2020

Dalton J “Rising demand for wine and olive oil will cut endangered bird habitats in Europe by half in 100 years, ecologists warn” [The Independent](#) 11 July 2020

Beament E “Nearly two million acres of British grassland lost to urban development and woods in 25 years, analysis shows” [The Independent](#) 9 July 2020

Boffey D “Brussels failing to protect bees, says watchdog” [The Guardian](#) 10 July 2020

Greenfield P “Wildlife traffickers target lion, jaguar and leopard body parts as tiger substitutes” [The Independent](#) 10 July 2020

Weston P “‘Landscape of fear’: what a mass of rotting reindeer carcasses taught scientists” [The Independent](#) 8 July 2020

Cockburn H “Biodiversity crisis: Scientists planning first ever complete list of all animals and plants on Earth, in effort to halt extinctions” [The Independent](#) 7 July 2020

- **Climate change and energy**

“Judge orders Dakota Access pipeline shut down pending review” [Nation & World](#) 6 July 2020

Johnson HS “IATA: Post-COVID-19 aviation recovery must embrace sustainable fuels” [eTN](#) 9 July 2020

“With international aviation climate efforts diluted, EU considers beefing up its own laws” [Carbon Pulse](#) 7 July 2020

“EU needs an ‘entire toolbox’ to curb emissions, including ETS expansion -German minister” [Carbon Pulse](#) 7 July 2020

“Ukraine proposes to support energy efficiency with carbon tax” [Carbon Pulse](#) 7 July 2020

Maas C “Federal appeals court rules EPA erred in finding counties met federal ozone limits” [The Jurist](#) 10 July 2020

Wast G “US appeals court sends fossil fuel climate crisis lawsuit back to state court” [The Jurist](#) 8 July 2020

Barber M “Federal court denies motion to reconsider emptying of Dakota Access Pipeline” [The Jurist](#) 8 July 2020

Monti A “US Supreme Court upholds order to block Keystone XL pipeline” [The Jurist](#) 8 July 2020

“Exclusive – EU lawmakers eye price ceiling, speculation curbs to prevent ‘cornering’ of ETS” [Carbon Pulse](#) 9 July 2020

Farge E and Laing A “Global warming trends highlight 'enormous challenge' of meeting Paris climate pledge, WMO says” [Reuters](#) 9 July 2020

Shankleman J “U.K. Lags European Neighbors in Green Recovery Promises” [Bloomberg](#) 8 July 2020

Topham G “International aviation and shipping likely to be added to UK's net zero carbon target” [The Guardian](#) 8 July 2020

“Spain: Greenhouse Gas Emissions Fell 6.2% Last Year” [Eurasia Review](#) 9 July 2020

Sheldrick A and Obayashi Y “Japan tightens rules on support for overseas coal-fired plants” [Reuters](#) 9 July 2020

“EU nations to cover less than a fifth of coal phaseout impact with EUA cancellations – analysts” [Carbon Pulse](#) 10 July 2020

“Australia’s NT outlines offset principles, vague on links to Safeguard Mechanism” [Carbon Pulse](#) 10 July 2020

“Norway pays Indonesia for cutting 11.2 MtCO₂e under forestry deal” [Carbon Pulse](#) 10 July 2020

“UN launches 2020 tender to buy 224k Gold Standard CERs” [Carbon Pulse](#) 10 July 2020

“Most EU gas transportation networks not yet ready to transport hydrogen” [ACER](#) 10 July 2020

“Cleve Hill Solar Park judicial review bid by Kent council fails” [BBC](#) 10 July 2020

- **Local government**

Gilmer EM “Boulder Climate Lawsuit Against Exxon, Others Advances (2)” [Bloomberg](#) 7 July 2020

Boyle L “Half the world lacks access to air pollution data to tackle public health threat” [The Independent](#) 9 July 2020

Boyle L “Climate crisis: Higher temperatures may drive mosquito-borne Zika virus into Europe” [The Independent](#) 9 July 2020

“French government threatened with fines by top court over air pollution” [Reuters](#) 10 July 2020

Lo Scalzo F “Venice tests long-delayed flood barrier months after waters swamped city” [Reuters](#) 10 July 2020

- **Mining**

Holden E “Over 5,600 fossil fuel companies have taken at least \$3bn in US Covid-19 aid” [The Guardian](#) 7 July 2020

What does the pathway to a net-zero economy look like for miners?” [Hellenic Shipping News](#) 7 July 2020

Gillett T “Ninth Circuit rules drilling can proceed in Alaska reserve” [The Jurist](#) 11 July 2020

Hiller J “Supreme Court ruling on Oklahoma tribal land raises questions for oil industry” [Reuters](#) 10 July 2020

- **Water, waste, oceans and chemicals**

Johnson HS “Canada joins Global Ocean Alliance - Canada advocates for protecting 30 percent of the world's ocean by 2030” [eTN](#) 10 July 2020

Laville S “Parts of England could run out of water within 20 years, warn MPs” [The Independent](#) 10 July 2020

- **Miscellaneous**

“United States - Mexico - Canada Agreement (USMCA)” [Lexology](#) 1 July 2020

Branswell H “Trump administration submits formal notice of withdrawal from WHO” [STAT](#) 7 July 2020 – read also [Nature](#)

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

North-West University CLES SARChi Chair Administrative position (Temporary 24 months)

Enquiries: Prof [Anél du Plessis](#)

Closing Date: 17 July 2020

North-West University Faculty of Law, Mahikeng

[Lecturer in Law](#) nGap position

University of Johannesburg: Executive Dean: Faculty of Law (5-year contract renewable subject to performance)

Closing date: 20 August 2020

More [information](#)

North-West University Faculty of Natural and Agricultural Sciences South Africa

[Lecturer in Natural and Agricultural Sciences](#)

Anglo American: Corporate Governance Advisor for Chile

More [detail](#)

DLA Piper: Global Scholarship Programme Manager Johannesburg, Gauteng

More [information](#)

Litigation Attorney: Bruno Simao Attorneys

More [information](#)

International

[PhD Position in Environmental Law](#)

Uppsala University Department of Law

[Professorship of Legal Tech](#)

University of Zurich Faculty of Law Switzerland

[Lecturer in Economic Analysis of Law](#)

University of Toronto Department of Economics Canada

[Fellow in Climate Policy](#)

University of California Berkeley School of Law United States

[Lecturer in Gender Issues in the Law](#)

University of Toronto Department of Women and Gender Studies Canada

[Lecturer in Economic Analysis of Law](#)

University of Toronto Department of Economics

[Professorship of International Law](#)

Friedrich Schiller University of Jena Faculty of Law

[Lecturer in Human Rights](#)

University of California Davis United States

[Professorship for Public Law, Finance and Taxation](#)

University of Hamburg Faculty of Law

[Lectureship in Commercial Law](#)

University College Cork School of Law

[Assistant Professor of Governance of Coastal Resilience](#)

Wageningen University

[Assistant Professor of Law and Technology](#)

VU University of Amsterdam Faculty of Law

[Postdoctoral Position in Socio-Legal Research](#)

University of Amsterdam Amsterdam Law School

[Research Fellow in Law](#)

University of Southampton Southampton Law School

[Associate Professor of Administrative Law](#)

University of Lausanne

[PhD Scholarship in Social Science for Migration, Mixed Marriage and Integration in Australia](#)

Monash University Australia

[Researcher in International and EU Tax Law](#)

Catholic University of Leuven Institute of Tax Law Belgium

[Fellow in Climate Policy](#)

University of California Berkeley School of Law

[Research Fellow in Political Philosophy or Legal Theory on the Legitimacy of International Courts](#)

University of Oslo

[Researcher in Law](#)

Catholic University of Leuven Faculty of Law Belgium

[PhD Position in European, Public and International Law](#)

Ghent University Department of European, Public and International Law

[Assistant Professor in Law](#)

University of Toronto Faculty of Law

[Assistant Professor of Law](#)

Singapore Management University School of Law

[Research Associate in Rhizosphere Processes in Wetlands](#)

University of Hamburg Department of Biology Germany

[Postdoctoral Fellow in Urban Planning and Design](#)

University of Hong Kong Department of Urban Planning and Design Hong Kong

[Postdoctoral Researcher in Ecosystem Ecology](#)

University of Helsinki Faculty of Biological and Environmental Sciences Finland

[Post Doc in Fisheries Science](#)

University of California Davis Agricultural and Environmental Sciences United States

[Postdoctoral Researcher Integrated Hydrological Modelling for Water Retention and Optimal Crop Water Management](#)

University of Oulu Faculty of Technology Finland

[Research Associate in Excellence Climate, Climatic Change, and Society](#)

University of Hamburg Germany

[Postdoctoral Scholar in Energy](#)

University of California Berkeley Haas School of Business United States

[Faculty Position in Heritage Studies Focused on Participatory Methods of Heritage Management and Heritage Education](#)

University of Antwerp Faculty of Design Sciences Belgium

[Research Assistant in Sustainable Planning and Urban Design](#)

Technical University Berlin Institute of Architecture Germany

[Post Doc in Energy History](#)

Royal Institute of Technology School of Architecture and Built Environment Sweden

Berlin: 3 month Internship - Sustainable Energy Policy and Markets

SD Strategies is currently seeking a highly motivated individual to pursue a 3-month, fulltime internship starting 1 September 2020. The intern will be based at our headquarters in Berlin, Germany.

Please submit your application by [email](#) including:

- 1) A cover letter indicating your time availability and detailing your motivation to join us as an intern;
- 2) Your CV; and
- 3) Two writing samples.

Applications will be evaluated on an ongoing basis. Please consider applying early. If we do not respond to your application, you can consider it unsuccessful. No calls please.

Agora Energiewende Project Lead Energy Policy Southeast Asia (Bangkok based)

We are looking for a Project Lead to head Agora's activities in Southeast Asia and represent Agora in the region towards stakeholders and decision makers:

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.



A Public Benefit Organisation



ELA NEWSLETTER 29

17 July 2020

Level 3 Lockdown

Remember to send your abstracts for the ELA e-Conference: Closing date 31 July 2020.

Keep safe and keep contact via Facebook, the website, upcoming webinars and our monthly ELA Streaming Club.

[Mandela Day](#) 18 July 2020

DIRECTIONS

Disaster Management Act 57 of 2002 - - GN 762 in GG 43520 of 10 July 2020 - Phased return of children to early childhood development programmes and partial care facilities

NOTICES

Disaster Management Act 57 of 2002 - Regulations

- GN 763 in [GG](#) 43521 of 12 July 2020 - Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended
- GN 796 in [GG](#) 43533 of 17 July 2020 – Human Remains Regulations

Disaster Management Act 57 of 2002 - GN 765 in [GG](#) 43524 of 13 July 2020 - Declaration of a national state of disaster published in GN 313 in GG 43096 of 15 March 2020 extended to 15 August 2020

Disaster Management Act 57 of 2002 - GN 767 in [GG](#) 43526 of 16 July 2020 - Revocation of classification of drought as a national state of disaster

National Environmental Management Act 107 of 1998 - GN 785 in [GG](#) 43528 of 17 July 2020 – Amendment of the procedure to be followed in applying for environmental authorisation for large scale wind and solar photovoltaic energy development activities identified in terms of s. 24 (2) (a) of the Act published in GN 114 in GG 41445 of 16 February 2018 - for comment

National Environmental Management Act 107 of 1998 - GN 786 in GG 43528 of 17 July 2020 – Identification of geographical areas of strategic importance for the development of large scale wind and solar photovoltaic energy facilities - for comment

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PROVINCES

Eastern Cape

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 112 in PG 4420 of 13 July 2020 - Kouga Local Municipality - Draft Spatial Development Framework (SDF) – for comment

Gauteng

Gauteng Community Safety Oversight Bill, 2018 - PN 281 in PG 111 of 14 July 2020 – Memorandum - for comment

Kwazulu-Natal

Constitution of Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 - PN 63 in *PG* 2194 of 16 July 2020 - Standard Draft By-laws: Cemeteries and Crematoria By-law, 2020; Credit Control and Debt Collection By-law, 2020; Sewage Disposal By-law, 2020; Parks and Recreational Grounds By-law, 2020 and Environmental Health By-laws 20

Limpopo

National Environmental Management: Protected Areas Act 57 of 2003 - PN 62 in *PG* 3090 of 17 July 2020 - Mopani District Municipality - Declaration of respective land parcels to be included into the existing Balule Nature Reserve

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 46 in *PG* 3173 of 17 July 2020 - Emakhazeni Local Municipality: Municipal Management and Control of Informal Settlements By-law

North West

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 64 in *PG* 8127 of 14 July 2020 - City of Matlosana Local Municipality - Spatial Development Framework

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National

PUBLICATIONS

National

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International

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BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas, animal rights and culture**

[Daily Maverick](#): Baigrie B “Saving nature: Overpopulation is not the primary problem” 16 July 2020

- **Climate change**

[ENS](#): Brand J *et al* “Impact investing: Accessing ESG Capital in the Debt Capital Markets” 7 July 2020

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Local government

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Africa

- **Biodiversity, protected areas and culture**

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- **Climate change and energy**

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- **Local government**

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- **Mining**

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- **Water, waste, oceans and chemicals**

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- **Biodiversity, animal rights, national parks and culture**

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- **Climate change and energy**

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[The Guardian](#): “Coral discovered in uncharted Danish waters – in pictures” 17 July 2020

- **Environmental enforcement**

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[Lexology](#): “Ontario Government Proposes Overhaul of Environmental Assessment Act” 15 July 2020

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[Lexology](#): “Brexit & Environmental Law in Scotland: Update” 10 July 2020

[Lexology](#): “At a glance: enforcement of environmental law in Netherlands” 20 November 2019

[Lexology](#): “Environmental law in United Kingdom” 20 November 2019

- **Local government**

[Nature](#): Bouffanais R and Lim SS “Cities — try to predict superspreading hotspots for COVID-19 - Tracking how people move around urban areas can pinpoint where disease might transmit fastest and farthest” 10 July 2020

[SDC](#): “Sustainable Development Code lists land use provisions that can exacerbate racial bias” [USA] (July 2020)

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[Lexology](#): “Green infrastructure for sustainable development” [Brazil] 14 July 2020

[IISD](#) SDG Knowledge Hub: Dean B, Hageneder C and Otto M “Buildings vs. the Cooling Challenge: Better Building Design to Curb the Massive Rise in Cooling Demand” 16 July 2020

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[Lexology](#): “What’s that ‘new’ levy on my title?” [Australia] 14 July 2020

[Thomas Reuters Foundation](#): Chandran R “Scarcity of shade hurts Indian street vendors' income, health” 9 July 2020

- **Mining**

[Lexology](#): “Mining & metals in the COVID-19 world: Underlying resilience masks ESG concerns” 13 July 2020

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- **Water, oceans, waste and chemicals**

[IISD](#) ENB: 42nd Meeting of the Open-ended Working Group of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (OEWG 42) | 14-16 July 2020 | Online

[Lexology](#): “Oregon Supreme Court Applies Landfill Closure Requirements Broadly in Kinzua Resources, LLC v. Oregon Department of Environmental Quality” [USA] 14 July 2020

[Lexology](#): “Clean Water Act Developments” [USA] 14 July 2020

[Lexology](#): “Court of Appeal waste law judgment (England)” 6 July 2020

[IISD](#) SDG Knowledge Hub: Wagner L “SDG 6 Accelerator Framework to Scale Up Water and Sanitation Action at the Country Level” 16 July 2020

[Lexology](#): “Australia: Federal Government to reform frameworks for waste management to promote greater accountability and sustainability for products” 14 July 2020

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[Lexology](#): “Draft General Permit for Winery Wastewater Discharge Released for Comment” 10 July 2020

[Lexology](#): “Three waters reform and investment thrown a lifeline” [New Zealand] 13 July 2020

- **Miscellaneous**

[Nature](#): “Pangolin protectors, an inflatable lab and young stars — June’s best science images” 13 July 2020

[Physicsworld](#): “Fighting flat-Earth theory” 14 July 2020

[Nature](#): Gibbey E “This photo of the Sun is the closest ever taken - Close-up reveals a surface dancing with ‘campfires’” 16 July 2020

[Nature](#): Castelvechi D “Mystery over Universe’s expansion deepens with fresh data” 15 July 2020

[Bureau](#) of Investigative Journalism: Stockton B, Schoen C and Margottini L “Crisis at the commission: inside Europe’s response to the coronavirus outbreak” 15 July 2020

[Vermont Law](#): “Virtual Food Law and Policy Lectures”

[Lexology](#): “The Network for Greening the Financial System: central banks and supervisors for climate resilience” [France] 15 July 2020

[IISD](#) SDG Knowledge Hub: Grund L “Global Efforts to Reduce Hunger Linked to Resolving Global Climate, Health Challenges” 16 July 2020

[IISD](#) SDG Knowledge Hub: Van Zanten A and Van Tulder R “Research Maps Interactions between Economic Activities and SDG Targets” 14 July 2020

[IISD](#) SDG Knowledge Hub: “Global Trade, the Pandemic, and Multilateral Directions” 14 July 2020

[Lexology](#): “IP rights, market ecology and sustainability: strategic directions post-COVID-19” 14 July 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club Session 3: Save the date

Date: Tuesday, 28 July 2020

Time: 19:00 SA time

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 31 July 2020

More information will follow

The call for papers emailed separately.

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: 31 July 2020

Place: Virtual

The call for papers emailed separately.

IAIAsa North West Branch: Covid-19 and the Disaster Management Act

Date: 28 July 2020

Time: 10:00-11:30

More [information](#)

[Registration](#) by 23 July 2020

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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: Webinar: Public Participation for Environmental Governance

Date: 10 to 14 August

Time: 9:00-12:00 SAST

This webinar course will deliver a thorough grounding in the fundamental principles and best practice techniques for effective public participation in environmental governance.

More [information](#)

SAEE Webinar: Energy Savings Risk Assurance

When: 30 July 2020

Time: 10:00 - 11:30

Via LiveStream Platform

[Registration](#)

International

Invitation to Regional Consultative Meetings on the United Nations Environment Assembly resolution on Mineral Resource Governance

At the fourth session of the United Nations Environment Assembly (UNEA-4), held in Nairobi, Kenya, from 11-15 March 2019, the assembly adopted a resolution on [Mineral Resource Governance](#), which recognizes the important contribution of minerals towards the achievement of the Sustainable Development Goals and the critical role that governance plays in ensuring positive outcomes from mineral development.

Get Involved

The United Nations Environment Programme invites all stakeholders interested in mineral resource governance to join virtual regional and subregional consultations on the resolution. The consultations will be held from July to August, 2020 and aim to obtain feedback on the governance of extractive industries, understand the political landscape as well as regional needs. The consultations will also help identify best practices and knowledge gaps, assess governance options; and consider views on next steps

[Register to attend a Regional or Sub-Regional Consultation](#)

Member states have also been invited through official channels to an additional briefing about the UNEA Mineral Resource Governance process. Any governments wishing to attend these briefings, should contact Angela Kariuki (angela.kariuki@un.org) for further details.

Learn More

A discussion paper has been prepared to support the consultations. The paper, written by The University of Queensland's, Professor Daniel Franks, distils key questions to guide the consultations, summarises global trends in minerals and

sustainable development, and presents findings from recent studies of mineral governance, options for the governance of minerals and lessons from best practices.

Read the discussion paper ([EN](#), [FR](#), [ES](#), [AR](#), [RU](#); ZH will be available shortly) Public submissions are invited on the topics covered by the discussion paper. Send your submission to unea.mrg@ggkp.org or share your views using the [online survey](#).

Listen to the podcast

A podcast series about mineral resource governance, covering topics such as tailings and mine waste, the global sand challenge, climate change and mining and artisanal and small-scale mining will accompany the consultations.

[Episode 1](#): The UN Environment Assembly Resolution (EN)

[Episode 2](#): Preventing Tailings Facility Failures (EN)

Join the conversation #UNEA #MRGresolution

Share your views of mineral resource governance with a short video. Submissions are invited on the topics below (please use [We Transfer](#) to submit a 2-3 min landscape format video to unea.mrg@ggkp.org). Post your videos on social media using the hashtag #UNEA #MRGresolution. The best submissions will be shared as part of the consultation process.

What are the most pressing mineral resource governance challenges in your region?

Share a good or best practice example to inspire the next phase of sustainability in the extraction and use of minerals

Are you part of a mineral resource governance initiative? Share how your initiative contributes to mineral resource governance.

Partnership for Action on Green Economy (PAGE) course: Green Industrial Policy: Promoting Competitiveness and Structural Transformation

PAGE's new course on [Green Industrial Policy: Promoting Competitiveness and Structural Transformation](#), forms part of PAGE's "Learning for a Green Recovery" initiative. A promotional video for the course can be viewed [here](#), while the course, and others in this new series, can be taken online at UNITAR's flagship [UN CC:e-Learn](#) platform. For more information on the course, please contact Colm Hastings (colm.hastings@unitar.org)

Frankfurt School - UNEP Collaborating Centre for Climate & Sustainable Energy Finance - two partial scholarships - Climate and Sustainable Energy Finance Academy

Date: 23-27 November 2020.

The role of financial markets in driving the transformation towards a low-carbon, climate resilient economy is fundamental to the efficient implementation of global ambitions following the Paris Agreement. This 5-day programme, based in Frankfurt am Main, Germany, aims to equip thought leaders with the necessary skills to improve access to clean energy and climate finance in developing countries.

We employ a robust combination of theory and practice in the classes, ensuring interaction with both experts and practitioners. Our trainings are not only conducted in classroom style teaching, but with interaction, visualisation, application, facilitation, moderation and ongoing evaluation. [Learn more about the Climate & Sustainable Energy Finance Academy](#)

[Learn more about the measures Frankfurt School are taking to safely reintroduce on-campus programmes.](#)

Scholarships

For 2020's Academy, Sustainable World Academy and the **FS-UNEP Centre** is offering 2 partial scholarships of 50%. For the successful applicants, 50% of the Academy tuition fees will be covered by Frankfurt School. Please submit your applications via email to summeracademy@fs.de by **15th September 2020**. Find out more about the Academy by [emailing](#) us at or [visit our website](#). For any further information on the Centre's activities, research and projects, please visit the new [FS-UNEP Centre website](#).

Green Breakfast – Financing Electric Vehicle Charging Infrastructure

Time: Tuesday 28 July 2020

Date: 10am – 11am (London time)

[Registration](#)

Webinar: Environmental Justice Unwrapped!

Date: 23 July 2020

Date: 07:00pm - 09:00 pm (New York time)

[Email](#) to participate

NEWS

National

- **Biodiversity**

“OR Tambo customs officials seize rhino horns worth R117m” [News24](#) 14 July 2020

Daniel J “Rhino horn worth R11m and declared as fine art seized at OR Tambo” [IOL](#) 15 July 2020

Lali V “Massive new land occupation on Cape Nature land in Mfuleni” [GroundUp](#) 14 July 2020

Pinnock D “Wildlife experts spurn invite to serve on environmental panel, indicating bias and co-option” [Daily Maverick](#) 15 July 2020

Geib C “North Atlantic right whales now officially 'one step from extinction'” [The Guardian](#) 16 July 2020

- **Climate change and energy**

Sizane M “RDP homeowners and shack dwellers clash over electricity” [GroundUp](#) 17 July 2020

“Scrutiny of new carbon tax regulations can save firms millions” [Engineering News](#) 17 July 2020

- **Local government**

Nxumalo M “Hawks swoop on homes of eThekweni officials allegedly involved in R200m corruption probe” [IOL](#) 16 July 2020 [provided by Anél du Plessis]

Postman Z “Johannesburg suburb donates “trikes” and uniforms to reclaimers” [GroundUp](#) 17 July 2020

Mutandiro K “Eskom users, fined for bridging electricity, beg to be reconnected” [GroundUp](#) 16 July 2020

Carnie T “Why is Durban splurging R50 million on a sea pier extension?” [GroundUp](#) 15 July 2020

- **Mining**

“Covid-19: Though case numbers are low, concern is growing in Limpopo” [News24](#) 14 July 2020

Stoddard E “Mining output decline slows in May to almost 30%” [Daily Maverick](#) 15 July 2020

Creamer T “Mantashe agrees to creation of engagement forum with renewables stakeholders” [Mining Weekly](#) 16 July 2020

Creamer T “Standard Bank signs \$485m financing deal for mega Mozambique gas project” [Engineering News](#) 17 July 2020

Economy: ANC document on mining proposals 'welcomed'

“ANC discussion document proposals aimed at facilitating increased mining exploration have elicited a ‘positive reaction’ from some industry stakeholders – although somewhat tentatively, if this week’s **Engineering News** [article](#) is any indication. The Minerals Council of SA is quoted as having described the document’s combined proposals as ‘a significant proposition’ that would ‘give junior mining companies a fighting chance when competing for investor funds’. This is noting its recognition of the need for ‘robust junior mineral exploration’, a call for ‘South African retail investors willing to invest in mining exploration’ to be incentivised to do so (‘as is the case in other mining jurisdictions’) – and mining companies to be ‘encouraged’ to list on the JSE.”

Read full report in Legalbrief Policy Watch 16 July 2020

- **Water, oceans, waste and chemicals**

“Public comment invited on the draft amendments to the National Estuarine Management Protocol” [DEFF](#) 13 July 2020 – find the Government Notice [here](#) – for comment by 26 July 2020

“Comment invited on intentions to require producers to implement specified extended producer responsibility measures to manage waste” [DEFF](#) 9 July 2020

“SA farmers rap repeal of state of disaster for drought” [TimesLive](#) 18 July 2020

Mafolo K and Shoba S “How to lend a helping hand on Mandela Day” [Daily Maverick](#) 17 July 2020

Ellis E “Dispute over Graaff-Reinet drought grant millions as mayor insists the money did not disappear” [Daily Maverick](#) 15 July 2020

Walters T “The Age of Plastemic: Tiny plastic particles are infecting the remotest oceans and mountains via aerial transmission” [Daily Maverick](#) 14 July 2020

“TIPS Paper: A case for water and sanitation in South Africa’s post-lockdown economic recovery stimulus package” [Engineering News](#) 17 July 2020

- **Miscellaneous**

Brown J “Covid-19: Children eat wild plants to survive as hunger explodes” [GroundUp](#) 16 July 2020

“Covid-19 must lead to new global deal and social contract’ - UN Secretary-General Guterres” [News24](#) 18 July 2020

Jooste R and Planting S “Laying down the foundation for pensions to fund infrastructure spend” [Daily Maverick](#) 15 July 2020

Carrington D “Governments’ dietary guidelines are harming the planet, study finds” [The Guardian](#) 15 July 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Carrington D “Nature-led coronavirus recovery could create \$10tn a year, says WEF” [The Guardian](#) 15 July 2020

“Kenya wildlife reserves threatened as tourists stay away” [TimesLive](#) 13 July 2020

Mosala M “Lesotho Expropriates Farmers’ Land, Gifts It To A Multinational” [amaBhungane](#) 6 July 2020

Phillips D “Dramatic footage fuels fears Amazon fires could be worse than last year” [The Guardian](#) 17 July 2020

Cockburn H “Amazon photos show ‘illegal’ burning of rainforest amid record deforestation levels” [The Independent](#) 17 July 2020

Carrington D “Nature-led coronavirus recovery could create \$10tn a year, says WEF” [The Guardian](#) 15 July 2020

Visentin L and Thompson A “NSW Forestry Corporation accused of felling giant trees in state forest” [The Independent](#) 18 July 2020

- **Climate change and energy**

“UK lawmakers introduce legislation for post-Brexit ETS” [Carbon Pulse](#) 15 July 2020

Hannam P “Coal, gas leading to 'quite dramatic' increases in methane emissions” [Sydney Morning Herald](#) 15 July 2020

Ambrose J “UK government planning new green investment bank” [msn](#) 15 July 2020

“Incoming EU presidency will aim for 55% GHG target, says German economy minister” [Carbon Pulse](#) 16 July 2020

Bouso R “Oil giants including Exxon set first joint carbon target” [Reuters](#) 16 July 2020

Chestney N “Exclusive: EU stimulus funds attract 1,000-plus green projects” [Reuters](#) 17 July 2020

Penrod E “BlackRock censures seven utility companies for lack of climate action, warns of other penalties” [Utility Dive](#) 17 July 2020

Stephens C “Federal appeals court temporarily permits Dakota Access Pipeline operation” [The Jurist](#) 15 July 2020

Ambrose J “Air conditioning curbs could save years' worth of emissions – study” [The Guardian](#) 17 July 2020

Harvey F and Phillips D “A fifth of Brazilian soy in Europe is result of deforestation” [The Guardian](#) 16 July 2020

Watts J “Methane rises to highest level on record” [The Guardian](#) 14 July 2020

Gardner T “U.S. court rules that California work with Quebec on CO2 market is constitutional” [Reuters](#) 17 July 2020

Green M and Abnett K “Green or Brown? As lockdowns lift, governments face a recovery climate choice” [Reuters](#) 17 July 2020

- **Environmental enforcement**

Brady J “Trump Overhauls Key Environmental Law To Speed Up Pipelines And Other Projects” [npr](#) 15 July 2-2-

Williams K “New US rule on environmental regulation limits oversight in ‘modernization’ move” [The Jurist](#) 16 July 2020

- **Local government**

Blake K “UKGBC Task Group for Renewable Energy Procurement and Carbon Offset Guidelines” [JLL](#) 13 July 2020

Fellner C “‘Those homes should never have been built’: The 40-year saga behind Wamberal beach erosion” [Sydney Morning Herald](#) 18 July 2020

Arnoldi M “Global mayors put social, climate wellbeing at the forefront of crises recovery” [Engineering News](#) 16 July 2020

Bateman J “The young people fighting the worst smog in Europe” [BBC](#) 2 July 2020

- **Mining**

Ridley K “BHP faces first step in record \$9 billion claim over Brazil dam failure” [Sydney Morning Herald](#) 15 July 2020

“Russia launches pollution investigation after streams run orange” [The Guardian](#) 16 July 2020

- **Water, waste, oceans and chemicals**

“Federal Appeals Court Sends Area Designations for 2015 Ozone Standards Back to EPA” [USA] [Lexology](#) 14 July 2020

“Ethiopia denies filling Nile Renaissance Dam without Egyptian agreement” [IOL](#) 16 July 2020

Fares I and Mansour Y “Water Issues and Climate Change in the Israeli-Palestinian Conflict” [The Jurist](#) 16 July 2020

Williams K “Pennsylvania environmental group sues EPA over Clean Water Act” [The Jurist](#) 15 July 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

North-West University: Potchefstroom Law Clinic Project Manager

Enquiries: [Chrisna Landsberg](#)

Closing Date: 28 July 2020

Commencement of Duties: ASP

For Application Forms: Submit your CV to [Lizelle du Pizani](#)

North-West University: Potchefstroom Law Clinic - North West Access to Justice Cluster – Supervising Attorney

Enquiries: [Chrisna Landsberg](#)

Closing Date: 28 July 2020

Commencement of Duties: ASP

For Application Forms: Submit your CV to [Lizelle du Pizani](#)

University of Pretoria: Faculty of Law Department of Mercantile Law Senior lecturer

Closing date: 31 July 2020

More [information](#)

Nelson Mandela University Faculty of Law: Public law nGap position in Maritime Law

Closing date: 31 July 2020

More [information](#)

Nelson Mandela University Faculty of Law: Lecturer Mercantile law

Closing date: 31 July 2020

More [information](#)

Nelson Mandela University Faculty of Law: Senior Lecturer / Associate Professor Criminal and Procedural Law

Closing date: 31 July 2020

More [information](#)

Nelson Mandela University Faculty of Law: Criminal Justice and Law Enforcement

Closing date: 31 July 2020

More [information](#)

University of Venda: Registrar – 5-year contract position

More [information](#)

Varsity College: Lecturer: Public Law (Independent Contractor) School of Law - Sandton Campus

Closing date: 24 July 2020

More [information](#)

Varsity College: Lecturer: Mercantile law

Closing date: 24 July 2020

More [information](#)

Varsity College: Lecturer Private law

Closing date: 24 July 2020

More [information](#)

Wilderness Safaris: Regional Finance Officer

More [information](#)

International

University of Antwerp Institute of Development Policy

[Doctoral Scholarship in Urbanisation, Poverty and Inequality in Africa](#)

University of Bayreuth Faculty of Humanities and Social Sciences

[Full Professor of International Relations of the Global South](#)

Wageningen University

[Assistant / Associate Professor of Global Food Systems Sustainability](#)

Lund University Lund University Centre for Sustainability Studies

[Researcher in Social Resilience and Adaptation to Climate Change](#)

Lund University Faculty of Social Sciences

[Post Doc in Social Resilience](#)

University of California Davis

[Lecturer in Human Rights](#)

McGill University Postdoctoral Fellow – Transboundary Governance Networks

More [information](#)

Fulbright Distinguished Chair Award, University of Birmingham.

More info [here](#). (15 September 2020)

Call for fellowship applications, Institute for Advanced Sustainability Studies (IIAS)

More info [here](#). (23 August 2020)

University of Birmingham - Researcher

The Fulbright University of Birmingham Award covers a three-to-nine month project for researching, lecturing or teaching in or across any research-active departments at the university.

Assistant or Associate Professor tenure track vacancy in the field of environmental policy and governance, Yale School of the Environment

More info [here](#). (15 September 2020)

**Assistant /Associate Professor Global Food Systems Sustainability,
Wageningen University.**

More info [here](#). (13 August 2020)

**Senior Managing Consultant, Climate Policy and Carbon Pricing, South
Pole – London/Amsterdam/Berlin**

More [information](#)

**Senior Sourcing Manager, Carbon Projects, South Pole –
London/Amsterdam**

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.



A Public Benefit Organisation



ELA NEWSLETTER 30

24 July 2020

Level 3 Lockdown

Remember to send your abstracts for the ELA e-Conference: Closing date 31 July 2020.

Keep safe and keep contact via Facebook, the website, upcoming webinars and our monthly ELA Streaming Club.

ACTS

Border Management Authority Act 2 of 2020 - GG 43536 of 21 July 2020 - date of commencement: to be determined

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN 796 in GG 43533 of 20 July 2020 - Health directions regarding measures to address, prevent and combat the spread of COVID-19 published and GN 457 in GG 43217 of 8 April 2020 withdrawn
- GN 801 in GG 43538 of 22 July 2020 - Directions on measures to address, prevent and combat the spread of COVID-19 in the public transport services, 2020 published and GN 493 in GG 43272 of 4 May 2020 withdrawn
- GN 802 in GG 43539 of 22 July 2020 - Directions on the determination of the commencement of services and extension for the validity period of learner's licences, driving licence cards, licence discs, professional driving permits and the registration of motor vehicles published in GN 544 in GG 43339 of 20 May 2020 amended
- GN 814 in GG 43550 of 24 July 2020 - International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended

NOTICES

Compensation for Occupational Injuries and Diseases Act 130 of 1993 – Gen Notice 387 in GG 43540 of 23 July 2020 - Directive on compensation for workplace acquired novel corona virus disease (COVID-19) published and Gen Notice 193 in GG 43126 of 23 March 2020 replaced

Antarctic Treaties Act 60 of 1996 - GN 804 in GG 43542 of 23 July 2020 - Consultation on the draft Antarctic and Southern Ocean Strategy - for comment

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R23 in GG 43546 of 23 July 2020 - Referral of matters to existing Special Investigating Unit in respect of the affairs of all State institutions

South African Maritime Safety Authority Levies Act 6 of 1998 - GN 813 in GG 43548 of 24 July 2020 - Determination of levies published and GN 1041 in GG 41135 of 26 September 2017 revoked

Infrastructure Development Act 23 of 2014 - GN 812 in GG 43547 of 24 July 2020 - Presidential Infrastructure Coordinating Commission Council: Designation of Strategic Integrated Projects (SIPs)

Legal Practice Act 28 of 2014 – Gen Notice 391 in GG 43542 of 23 July 2020 - South African Legal Practice Council: Rules of the Council made under the authority of sections 95 (1), 95 (3) and 109 (2) of the Act amended

PROVINCES

Eastern Cape

Spatial Planning and Land Use Management Act 16 of 2013 - Proc 2 in PG 4422 of 20 July 2020 - Nelson Mandela Bay Metropolitan Municipality - Establishment of the Municipal Planning Tribunal and the appointment of members

Western Cape

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20333 in PG 8274 of 23 July 2020 - Matzikama Local Municipality - Appointment of Municipal Planning Tribunal Members

Western Cape Land Use Planning Act 3 of 2014 - LAN 20325 in PG 8275 of 24 July 2020 - West Coast District Municipality - Spatial Development Framework 2020

Limpopo

National Environmental Management: Protected Areas Act 57 of 2003 - PN 67 in PG 3091 of 24 July 2020 - Withdrawal of declaration of the Nyl Valley Private Nature Reserve

National Environmental Management: Protected Areas Act 57 of 2003 - PN 68 in PG 3091 of 24 July 2020 - Withdrawal of declaration of the Orabeni and Kasma Nature Reserves

PUBLICATIONS

National

Chuene R, Demarther Z and Mokoena S "Directors beware! The court declares Dudu Myeni (former SAA Chair) a delinquent director" 2020 20(14) [Without Prejudice](#)

Du Toit J and Naidoo M “#DirectorGoneRogue – Serious failure in corporate governance” 2020 20(14) [Without Prejudice](#)

Koti M “Waste disposal sites that predate the Environmental Conservation Act” 2020 20(14) [Without Prejudice](#)

Roff A *et al* “A vital ambition: Determining the cost of additional CO₂ emission mitigation in the South African electricity system” (CSIR [Report](#) July 2020)

International

2020 3 [Oil, Gas & Energy Law](#) – on LNG

2020 2 [Oil Gas & Energy Law](#) - Regulation of Petroleum Development in Guyana

2020 1 [Oil, Gas & Energy Law](#) – Social licence to operate

2019 4 [Oil, Gas & Energy law](#) – African extractive sector

2020 9(2) [Transnational Environmental Law](#)

Park J *et al* “Illuminating dark fishing fleets in North Korea” 2020 6(30) [Science Advances](#) DOI: 10.1126/sciadv.abb1197

Squillace M “Rethinking Public Land Use Planning” 2020 43 [Harvard Environmental Law Review](#) 415-478

Squillance M “Restoring the Public Interest in Western Water Law” 2020 3 [Utah Law Review](#) 627-684

Resch G *et al* “Deliverable 8.3: Database Market uptake of concentrating solar power in Europe: model-based analysis of drivers and policy trade-offs” (MUSTEC [Report](#) July 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas, animal rights and culture**

[Bizcommunity](#): “This is how rural areas can be developed through agriculture” 24 July 2020

- **Climate change**

[Daily Maverick](#): Oelofsen J “Eskom unbundled: Contradictions in the plan will exacerbate the energy crisis” 23 July 2020

- **Local government**

[BusinessLive](#): Mkentane L “MEC says he has go-ahead to put Nelson Mandela Bay metro under administration” 24 July 2020

- **Mining**

[Bizcommunity](#): “Powering mining with renewable energy” 23 July 2020

[Bizcommunity](#): “Recovery plan proposed for mining and energy” 22 July 2020

[Bizcommunity](#): “SMEs and economic viability beyond the life of mines” 20 July 2020

- **Water, waste, oceans and chemicals**

[Bizcommunity](#): “Lesotho Highlands Project to deliver water to SA in 2026” 24 July 2020

[allAfrica](#): Macharia I “Kenya: Dangerous Pesticide Use - What Must Be Done to Protect the Health of Kenyans” 19 July 2020

- **Miscellaneous**

[Webber Wentzel](#): “POPIA readiness is essential for all businesses and sanctions for non-compliance are hefty” 21 July 2020 – see also [here](#) for overview of the Guidelines

[Daily Maverick](#): Pikoli Z “Reflecting on 25 years of the South African Human Rights Commission” 23 July 2020

[Daily Maverick](#): Auerbach R “The policy shift South Africa needs to achieve food sustainability” 22 July 2020

Africa

- **Biodiversity, protected areas and culture**

[BBC](#): “Legacy of Kenyan clan 'branded evil' by colonialists” 24 July 2020 [Legalbrief 23 July 2020]

[Mail & Guardian](#): Gibbs M “A fishy business: How an Icelandic multinational moved profits out of Namibia” 22 July 2020

[Daily Maverick](#): Desalegn H, Du Toit M and Mills G “Why Africa must become the Conservation Continent” 22 July 2020

[Business Insider](#): “The mysterious mass deaths among elephants in Botswana may have stopped, survey suggests” 23 July 2020

- **Climate change and energy**

[Bizcommunity](#): “Africa's distributed renewable energy sector still dominated by foreign players” 21 July 2020

- **Local government**

[Mail & Guardian](#): Matsipa M and McBride S-L “Extractive histories and a waste-laden present: On Sammy Balaji's Essay on Urban Planning” 21 July 2020

- **Mining**

[allAfrica](#): “Sudan: Global Witness [Report](#) - 'Swiss Refiner Likely Purchased Sudan Conflict Gold'” 20 July 2020 [Legalbrief 23 July 2020]

[Extractives Baraza](#): Namkwahe J “Tanzania Women Miners Secure Key Licence” 21 July 2020

[Extractives Baraza](#): “World Bank: Global Gas Flaring at its Highest Since 2009” 21 July 2020

- **Water, waste, oceans and chemicals**

[Daily Maverick](#): Walker T and Reva D “Only swift action will achieve an African maritime renaissance” 24 July 2020

[Bizcommunity](#): “Why wind and solar would offer the DRC and South Africa better energy deals than Inga 3” 24 July 2020

- **Miscellaneous**

[Natural Justice](#): Brigen RJ and Okoth EM “Our Role in Securing Public Participation in the Kenyan Legislative and Policy Reform Process” 23 July 2020

[TAP](#): “Tunisia ranks 2nd in Africa according to 2020 Environmental Performance Index” 15 July 2020 [Legalbrief Environmental 21 July 2020]

International

- **Biodiversity, animal rights, national parks and culture**

[Thomas Reuters Foundation](#): Khan RS “In green jobs boost, communities get bigger role running Pakistan's national parks” 17 July 2020

[Nature](#): Parkinson K “Who am I? The larval sunfish mystery” 22 July 2020

[Lexology](#): “Supreme Court Determines that Area in Northeastern Oklahoma Constitutes a Reservation” [USA] 21 July 2020

[Science](#): Alex B “Sacred site reveals how Indigenous people resisted colonial forces for 130 years” 22 July 2020

[Science](#): Stokstad E “Sharks ‘functionally extinct’ from one in five coral reefs” 22 July 2020

[Science](#): Hartley C “Global warming shrinks bird breeding windows, potentially threatening species” 20 July 2020

[Lexology](#): “Rights-based fishery management and ocean resilience” 20 July 2020

[IISD](#) SDG Knowledge Hub: “HLPF Event Focuses on Efforts to Realize Societies in Harmony with Nature” 21 July 2020

[The Independent](#): “Common octopus and orange roughy among popular seafood species in rapid decline, landmark study finds” 21 July 2020

[BBC](#): “Fires in Pantanal, world's largest tropical wetlands, 'triple' in 2020” 24 July 2020

[BBC](#): Falk B “An abandoned British island reclaimed by nature” 21 July 2020

- **Climate change and energy**

[European Investment Bank](#): “Stakeholder engagement on the EIB Group’s Climate Bank Roadmap 2021-2025: Turning ambition into reality” (July 2020)

[Climate Registry](#): Coffee with Climate Leaders WFH – videos available

[Lexology](#): “Aiming for Maximum (GHG) Impacts: Federal Government Releases Guidance on Assessing Climate Change Impacts of Major Projects” [Canada] 22 July 2020

[Lexology](#): “Climate-Centric Infrastructure Package Passed by House Democrats: What's Included? What's Next?” [USA] 16 July 2020

[Lexology](#): Climate Action Plan Released by House Select Committee on the Climate Crisis”[USA] 16 July 2020

[New York Times Magazine](#): Lustgarten A “The Great Climate Migration” 23 July 2020

[Lexology](#): “Nationwide Permit 12 Temporarily Revived, but Keystone XL Remains Stalled” [USA] 20 July 2020

[Lexology](#): “National Energy and Climate Plan 2030 | Towards a carbon neutral future” [Portugal] 16 July 2020

[Science](#): Joselow M “Trump moves to regulate greenhouse emissions from planes, but critics skeptical” 22 July 2020

[Science](#): Voosen P “After 40 years, researchers finally see Earth’s climate destiny more clearly” 22 July 2020

[Triple A](#): Enhancing at an Early Stage the Investment Value Chain of Energy Efficiency Projects

[The Independent](#): Boyle L “Everybody’s entitled to their opinion - but not their own facts’: The spread of climate denial on Facebook” 24 July 2020

[The Independent](#): Cockburn H “Climate crisis: Siberia wildfires ‘engulf area larger than Greece’” 21 July 2020

- **Environmental enforcement**

[Lexology](#): “Samuel Review's Interim Report: national environment law needs reform both wide and deep” [Australia] 23 July 2020

[Lexology](#): “CEQ Final Rule Overhauls NEPA Regulations” [USA] 21 July 2020

[Lexology](#): “At a glance: enforcement of environmental law in United Kingdom” 20 November 2019

[Lexology](#): “At a glance: enforcement of environmental law in Germany” 20 November 2020

[Lexology](#): “DOJ’s Attack on ‘Supplemental Environmental Projects’ Extends to Citizen Plaintiffs” [USA] 16 July 2020

[Lexology](#): “In review: environmental protection regulations in Italy” 27 February 2020

[Lexology](#): “At a glance: enforcement of environmental law in Spain” 20 November 2019

[Lexology](#): “Planning & environment podcast: Additional Environmental Approvals under the Business and Planning Bill” 14 July 2020

- **Local government**

[Thomas Reuters Foundation](#): Moloney A “10 global cities charting a green recovery from coronavirus” 16 July 2020

[BBC](#): “Coronavirus: National Trust seeing 'record levels of beauty spot litter’” 25 July 2020

- **Mining**

[Lexology](#): “Chemical Safety Board’s New “Best Practice Guidance for Corporate Boards of Directors and Executives in the Offshore Oil and Gas Industry for Major Accident Prevention” - Onshore Operators Take Notice!” 22 July 2020

[Science](#): Cornwall W “Critics blast U.S. study finding huge Alaskan mine poses little environmental risk” 4 July 2020

[Extractives Baraza](#): Aquino M “Peru Protesters Attack Las Bambas Mining Group’s Convoy” 21 July 2020

[The Independent](#): McGibbon A “In the 21st century the most patriotic thing to do with fossil fuels is keep them in the ground” 23 July 2020

[BBC](#): “Peat-cutting ban: Tynwald closes only Manx public turbary” 24 July 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “The end of new landfills in Ontario? Proposed amendments to the Environmental Assessment Act and the impact on waste management” [Canada] 22 July 2020

[Lexology](#): “War on waste: Federal Government commits \$190 million to recycling infrastructure” [Australia] 23 July 2020

[IISD](#) SDG Knowledge Hub: “WTO Committee on Trade and Environment Continues Efforts on Plastics Pollution, Circular Economy” 23 July 2020

[IISD](#) SDG Knowledge Hub: “[Report](#) Details Methods for Measuring Lead in Paint” 23 July 2020

[Lexology](#): “How Tribes Can Respond to Clean Water Act Review Limits” 21 July 2020

[Lexology](#): “California Adopts Definition of Microplastics in Drinking Water” 20 July 2020

[Science](#): Cantwell M “Watch: Threatened pools in Mexican desert hold clues to early life” 23 July 2020

[Lexology](#): “Third Circuit Revives Class Action Odor Lawsuit Against Pennsylvania Landfill” [USA] 20 July 2020

- **Miscellaneous**

[Strings](#): The STRINGS project is mapping development pathways for science, technology and innovation that best address the UN Sustainable Development Goals.

[Cnet](#): Ryan J “Astronomers capture first images of multiplanet system around sunlike star” 22 July 2020

[Thomas Reuters Foundation](#): Njagi K “Land rights battle inches Kenyan rice farmers closer to title deeds” 22 July 2020

[Thomas Reuters Foundation](#): Biron CL “Pandemic upheaval creates 'perfect storm' for land rights abuses” 16 July 2020

[Nature](#): Casassus B “Scientists disappointed by plan to boost France’s research prowess” 23 July 2020

[IISD](#) SDG Knowledge Hub: “Tracking the Trackers: SDG Data Sources at Year Five” 23 July 2020

[IISD](#) SDG Knowledge Hub: “As Decade of Action Has Become a Decade of Recovery, HLPF Focuses on Pandemic Response” 21 July 2020

[IISD](#) SDG Knowledge Hub: “SDGs Today [Platform](#) Offers Open Access to SDG-related Data” 21 July 2020

[IISD](#) SDG Knowledge Hub: “VNR Planning Underway for HLPF 2021” 21 July 2020

[BBC](#): “Genetic impact of African slave trade revealed in DNA study” 24 July 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club Session 3: Energy Justice and Energy Security

Date: Tuesday, 28 July 2020

Time: 19:30 – 20:30 SA time

Stream episode 1 of 'Islands of the Future' via Netflix on or before 18h30 on 28 July 2020 (SA time), and then log in for a Zoom discussion with experts on the topic of energy justice and energy security in South Africa at 19:30. The purpose of the discussion is to consider, with reference to the documentary, the importance of a just transition to clean energy, barriers to pursuing clean energy in South Africa, and the laws and policies that potentially facilitate a shift.

Please contact [Melanie Murcott](#) to register and to request the Zoom details.

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 31 July 2020

More information will follow

The call for papers emailed separately.

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: 31 July 2020

Place: Virtual

The call for papers emailed separately.

IAIAsa North West Branch: Covid-19 and the Disaster Management Act

Date: 28 July 2020

Time: 10:00-11:30

More [information](#)

[Registration](#) by 23 July 2020

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

Nelson Mandela University: 12th Private Law and Social Justice Conference: Balancing legal development and substantive legal principle

Dates: 10-11 August 2020

Place: Nelson Mandela University, Port Elizabeth

Abstracts: 15 June 2020

You may find information regarding registration for the conference on the [Private Law and Social Justice Conference webpage](#).

[Queries](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsup

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

International

Conservation Conversations: Biodiversity Conservation Effectiveness Within U.S. Protected Areas: the Convention of Biological Diversity's 30x30 Goal

Speaker: Former National Park Service Director Jon Jarvis at UC Berkeley's Institute for Parks, People & Biodiversity

Date: 29 July 2020

Time: 2-1 pm (MDT)

Learn more about our partners, the complete schedule, & register [here](#)

Conservation Conversations: Reframing Conservation as an Economic Driver and Stimulus to Rural Communities

Date: Thursday, August 13th, 2020 - 12-1 pm (MDT)

More [information](#)

Conservation Conversations: GWC will present the third conversation: Another Way of Knowing: Indian Tribes, Collaborative Management & Public Lands

Date: 25 August 2020

More information [here](#)

Conservation Conversations: From Parallel Play to Co-Management: Conserving Landscapes at Risk of Wildfire in the American West

Date: Wednesday, September 9th, 2020 - 1-2 pm (MDT)

More information [here](#)

George Washington University Georgetown Climate Center Webinar: Equitable Adaptation Legal & Policy Toolkit

A webinar launching GCC's new, an online resource for community-based organizations and state and local governments working to put frontline communities first.

Date: Wednesday, 29 July 2020

Time: 1 PM ET / 10 AM PT

[Registration](#)

Call for Abstracts for Online Workshop: The Climate Crisis: Legal Safeguards for Justice and Security

Abstract Submission Deadline: 15 September 2020

Workshop: 2-3 December 2020

Time: 11am-2pm EST (New York) / 5pm-8pm CET (Stockholm) / 9.30pm-00.30am IND (New Delhi) / 12am-3am HKT (Hong Kong)

Format: via Zoom, 2 days, 3 hours each day (10 minutes presentations followed by 50 minutes of discussion for each paper)

Special Note: We encourage submission from junior (untenured) scholars.

Hosted by Stockholm Environmental Law and Policy Centre, at Stockholm University; Elisabeth Haub School of Law at Pace University; and Pace Environmental Law Review

The issue

Society must recognize that climate change, as well as the current pandemic and ongoing racial injustices, are sustainability and security crises. The three dimensions of environmental, social and economic welfare are not only key pillars

of sustainable development, but also essential factors for security. We see significant law and policy challenges in accounting for large scale disruptions due to climate change and environmental degradation including mass migration, food insecurity, natural disasters, inequality, access to clean water, and the breakdown of civil society.

More specifically, how does law – legal structures, frameworks, institutions and safeguards – matter for climate justice and security? How can significant global security risks be accounted for and peace promoted or ensured? What is the role of environmental law, broadly defined (food, energy, land use, natural resources law)? Given the similar potentially destabilizing effects of the climate crisis (e.g., protests and social unrest, disparate racial and economic impacts), what can we learn about the effectiveness of various legal tools from the responses to COVID-19 and protests against police brutality?

This Workshop attempts to highlight cutting-edge, transformational, interdisciplinary and thought-provoking research offering insight into the role of national and international public law, litigation, and private governance in promoting social-ecological resilience, sustainable development and justice, as well as the relationship of law to effective civil disobedience and activism—all in an effort to increase global peace and security in relation to the climate crisis.

Topics for papers and presentations may include, but are not limited to, how legal tools intersect with:

- climate migration and climate refugees
- food justice and food security
- economic and social impacts/inequalities/disparities of the climate and COVID-19 crises on vulnerable communities
- defining resilience and justice in times of the climate crisis
- the links between institutional racism and climate change/public health
- the role of a green restart/green new deal
- loss of local culture and traditions due to climate change
- public health and emotional well-being in the climate crisis
- gender-based violence and the environment/climate crisis

This event is organized as part of the Department of Law at Stockholm University hosting the Olof Palme Professorship, which is “awarded to an internationally prominent researcher focused on topics important to the pursuit of peace in a broad context within the areas of social sciences, humanities, theology and science of law.” This year, the focus of the professorship is to broaden our understanding of global peace, security and welfare to include ecological resilience and climate justice in the Anthropocene.

Interested in submitting an abstract?

If you are interested in presenting your work, please [email](#) an Abstract no longer than 300 words.

Abstract Submission Deadline: September 15, 2020.

Six abstracts will be selected by a faculty panel for presentation. Preference will be given to junior (untenured) scholars. Presenters will have the opportunity to publish their papers arising from this workshop in the *Pace Environmental Law Review*. Workshop paper drafts from selected presenters will be due prior to the workshop on November 15, 2020. If you have any questions, please contact Professor [Jason Czarnezki](#).

4th Annual North American Environment, Energy, & Natural Resources Conference (Special Webinar Edition): The New Energy Landscape: COVID-19, Climate Change and Diversification

Date: Tuesday, August 18, 2020

Time: 8:45 a.m. – 12:45 p.m. CDT

Online via Zoom

[Registration](#)

CEEW Centre for Energy Finance (CEEW-CEF) webinar: 'RE-financing the energy transition: Barriers and solutions'

Date: 29 July 2020

Time: 1600-1730 IST

The webinar will feature the launch of CEEW-CEF's study 'Limited Period Subsidised Credit Enhancement for Domestic RE Bond Issuances'.

[Registration](#)

EuroSun 2020 online conference

Date: 1-3 September 2020

EuroSun 2020 offers a platform to discuss the latest developments with leading solar energy experts as well as policy makers and industry representatives. The programme includes distinguished keynote speakers in plenary sessions, specialists meetings in breakout sessions and poster exhibitions as well as social events where you will have the opportunity to network, meet old friends and to make new ones.

Please visit the conference [website](#)

NEWS

National

- **Biodiversity**

Geach B “In photos: Standoff between police and occupiers of Cape Town nature reserve” [GroundUp](#) 24 July 2020

Bulbulia T “ShotSpotter assisting in reducing rhino poaching in Kruger National Park” [Engineering News](#) 23 July 2020

Environmental: Praise from US for work of SA advocate

“A South African advocate has been recognised by the US for her role in capturing and prosecuting a wanted South Korean plant trafficker in Cape Town. The US Fish and Wildlife Service and the South African Endangered Species Unit worked together to successfully arrest the transnational fugitive last October. Byungsu Kim is also wanted in the US for international plant trafficking in protected areas, notes a Cape Argus report. Advocate Anne Heeramun, who was honoured for performing the prosecution, said: ‘The criminal matter in SA against Kim and a co-conspirator was finalised in January 2020. They received direct terms of imprisonment, suspended on condition that they are not convicted again, and paid a confiscation order of almost R5m. They were both declared unfit to enter the country again.’ Heeramun said the extradition process of Kim to the US then commenced immediately and was finalised last month. ‘This is considered excellent turnaround time especially considering the current challenging times,’ the

US embassy said. Ambassador Lana Marks said: 'Heeramun embraced a co-operative working relationship with her colleagues in the US, and this led to justice truly being served. Most importantly, it sends a very strong message to all transnational criminals that the US and SA are allies in the fight against crime and together we make a formidable adversary for those who would destroy our environment for profit or otherwise disobey the rule of law.' Heeramun said all the success in this matter was a result of teamwork. 'It is comforting to know that there are people who share the passion for the work being done,' she is quoted as saying."

Full Cape Argus report (subscription needed) Legalbrief 23 July 2020

Criminal: WWF flags Limpopo Transfrontier Area poaching risk

"Criminal networks responsible for the trafficking of rhino horn and ivory are threatening the sustainability of rhino and elephant populations in the areas falling in The Great Limpopo Transfrontier Conservation Area (GLTFCA), according to a webinar discussion by stakeholders. A Cape Argus report notes that WWF SA Wildlife Programme manager and Africa Rhino lead Jo Shaw said there had been a dramatic increase in the number of rhinos poached in previous years. However, last year, 594 rhinos were poached, which represented a marked reduction compared with the annual count since 2014. 'SA has declared rhino poaching as a high-ranking crime. There are good legislations and policies for wildlife trafficking in the country. The long-term solutions are, however, much more complicated than they may appear,' she said. Shaw said there were conservation areas which were agreed upon to be managed. This meant animals could roam freely in these areas – good news for cross-border tourism and sustainable development. Shaw said there needed to be good enforcement, alternative livelihoods and food security for people living around protected areas. The impact of the current lack of tourism in the local economy of protected areas meant things would get harder. 'The balance between providing people with the appreciation of wildlife and the protection of livelihood is a challenge,' she said."

Full Cape Argus report (subscription needed) [Legalbrief Environmental 21 July 2020]

- **Climate change and energy**

"South Africa set to launch carbon offset administration platform" [Carbon Pulse](#) 22 July 2020

Winning A "SA renewables firms look for debt savings to lower tariffs" [MoneyWeb](#) 16 July 2020 [Legalbrief Environmental 21 July 2020]

"Eskom to release some frozen funds to assist Maluti-a-Phofung municipality with running costs" [TimesLive](#) 25 July 2020

Litigation: High Court stops planned Eskom power cuts

"The Free State High Court has interdicted Eskom from implementing daily blackouts in southern Free State towns as part of a debt collection strategy. Volksblad reports that the Letsemeng municipality owes the power utility R41m, but says in court papers it simply cannot pay without assistance from the provincial and/or national government. Eskom planned to implement blackouts between 06:00 and 20:00 in the towns of Jacobsdal, Koffiefontein, Luckhoff, Petrusburg, Ratanang, Relobohile, and Boitumelong. The municipality brought an urgent

application to stop the power cuts pending a planned review application. Judge Philip Loubser said in his judgment yesterday that there is merit in Eskom's argument that it cannot continue to provide electricity to non-paying municipalities at the risk of collapsing the utility itself, but the decision would also cause severe suffering for residents. Loubser held that Eskom has itself to blame for the predicament as it had allowed the situation to deteriorate in the last three years without using available legal remedies against the municipality."

Full Volksblad report (subscription needed) Legalbrief 24 July 2020

Energy: Short-term procurement process to begin soon

"By 'early August' at the 'latest', emergency power procurement documents giving practical effect to a recent ministerial determination on meeting SA's short-term risk mitigation energy capacity requirements will have been 'put to the market'. This is according to Tuesday's mineral resources and energy budget vote speech, which also provided some insight into moves afoot to procure additional power from existing independent producers and 'own-use' generation facilities 'willing to sell' to Eskom by way of 'flexible short-term contracting' arrangements."

Read full report in Legalbrief Policy Watch 23 July 2020

Energy: Environmental consultations for gas pipeline begins

"Consultations have begun on the process of identifying geographical areas important for the development of infrastructure for a strategic gas transmission pipeline; electricity transmission and distribution; and large-scale wind and solar photovoltaic energy facilities. A Legalbrief Policy Watch report notes that **comment is sought on the contents of *The Government Gazette* notices concerned**, as well as a proposed amendment to the procedures followed in 'applying for or deciding on an environmental authorisation application for large-scale wind and solar photovoltaic renewable energy development activities when occurring in renewable energy development zones'. The move may be linked to a recent ministerial determination on the December 2021 deadline for meeting SA's short-term risk mitigation energy capacity requirements for the years 2019 to 2022."

Full Legalbrief Policy Watch report Legalbrief Environmental 21 July 2020

- **Local government**

Majavu A "Police respond to rural water protests with bullets" [New Frame](#) 14 July 2020 [Legalbrief Environmental 21 July 2020]

Stent J "District Six: This time the bulldozers are there to build houses" [GroundUp](#) 24 July 2020

Chirume J "Homeowners and shack dwellers clash over illegal electricity connections" [GroundUp](#) 22 July 2020

Lali V "I wish the government could allow us to stay here" [GroundUp](#) 21 July 2020

Sizani M "Community leader shot in escalating electricity battle" [GroundUp](#) 20 July 2020

"Msunduzi is choking on smoke and Minister Creecy needs to act – DA" [IOL](#) 25 July 2020

Legislation: Cape Town looks for ways to cut red tape

“Cape Town is being pushed to speed up the rate at which new businesses are being set up to replace those that buckled due to lockdown restrictions. According to a Cape Argus report, a group of councillors has proposed various ways and legislation to make it easier for the city to help facilitate the establishment of new businesses. This week, a motion was tabled at subcouncil 16, which consists of the City Bowl and surrounding areas, by Councillor Dave Bryant, who wants a temporary by-law, policy or similar legislation to be prioritised urgently to cut red tape and processes for improved business operations. ‘Businesses are limited in terms of their trading areas and we would like to find ways to allow them to trade more freely and make use of public space,’ he said. He said the ban on alcohol, along with the curfew, was hurting many businesses, and all must be done to assist them. ‘Other proposals submitted in the motion include that public spaces such as squares, pavements and unused parking spaces in the Cape Town CBD and surrounds should be made more accessible for business use and relevant regulations relaxed where possible to allow for these activities to take place,’ he said. Cape Chamber of Commerce president Geoff Jacobs said: ‘Any efforts to cut down on red tape are to be welcomed, but not as temporary measures, but permanently if we are to see businesses recover post-Covid-19.’”

Full Cape Argus report (subscription needed) Legalbrief 22 July 2020

- **Mining**

Mabona B “Lily Mine: Mashaba threatens Mineral Resources Dept with legal action over three workers’ remains” [News24](#) 23 July 2020 [Legalbrief 24 July 2020]

Stent J “Two years after landmark silicosis settlement, no one has been paid” [GroundUp](#) 20 July 2020

“Hawks seize chrome stockpiles, excavator in raid on illegal mining operation in Limpopo” [TimesLive](#) 25 July 2020

Energy: Nuclear decommissioning policy proposals out for comment

“A discussion paper exploring nuclear facility decommissioning policy options was released yesterday, with the aim of eliciting stakeholder feedback on ‘potential issues’ with the prevailing decommissioning regime and ways of improving it. Its proposals appear to target uranium mines, since the Koeberg nuclear power plant is apparently expected to continue operating for another 60 years – with ‘financial provision’ being ‘accumulated as required’ for decommissioning and used fuel management. ‘Based on a 40-year operational life’, decommissioning is scheduled for ‘after 2025’.”

Read full report in Legalbrief Policy Watch 22 July 2020

- **Water, oceans, waste and chemicals**

Felix W “Sisulu sounds alarm of debt crisis at SA’s water boards” [News24](#) 23 July 2020 [Legalbrief 24 July 2020]

“Department tightens grip on water polluters” [SANews](#) 16 July 2020 [Legalbrief Environmental 21 July 2020]

Mathe T “Sewage still flows into ‘Poo Lake’” [Mail & Guardian](#) 24 July 2020

- **Miscellaneous**

Creamer T “South Africa must find niche in ‘tectonic’ shift towards greener industries” [Engineering Weekly](#) 24 July 2020

Return the weaners, judge tells developmental farmers

“An Eastern Cape High Court (Makhanda) judge has ordered four developmental farmers in the Joe Gqabi district contracted to raise 200 young A-grade beef weaners as part of a production contract to return the weaners. The farmers say the cattle died in 2019, ostensibly as a result of severe drought conditions in the region, notes a Daily Dispatch report. Unsubstantiated statements to the court by one or another of the farmers included claims that the drought caused ‘the unfortunate death of the weaners and some of my own livestock’, and ‘no beef weaners survived’. But the Agribee Beef Fund, a government-underwritten initiative to bring small-scale farmers into larger commercial farming operations, does not believe the weaners were lost in the drought and has held out for the return of the 50 animals allocated to each of four farmers. And Judge Murray Lowe agreed, ordering the four operators to produce the weaners immediately. Lowe has now made final an order that each of the farmers must return 50 weaners – as described in an induction form – to the fund, within 24 hours of his order. He found there was no suggestion at all that the four had ever mentioned to the fund’s representatives that the weaners were at risk as a result of the drought or that, later, they had indicated the animals had in fact died. He also authorised the sheriff, if necessary, to enter the respective farmers’ premises to fetch the weaners. Each farmer was interdicted from selling or in any way disposing of any of the 50 weaners allocated to him or her. They must also return all unused feed reserves, cleaning materials, veterinary medicines and vaccines. The judge also cancelled the beef weaner production agreement.”

Full Daily Dispatch report (subscription needed) Legalbrief 21 July 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Johnson HS “US Travel praises House passage of National Parks bill” [eTN](#) 22 June 2020

Johnson HS “Vietnam bans wildlife trade amid COVID-19 pandemic” [eTN](#) 23 June 2020

Ledger E “Mountain gorillas face extinction due to threats of both coronavirus and poaching” [The Independent](#) 23 July 2020

Dalton J “Hundreds of people and 10 rare one-horned rhinos killed in seven weeks of flooding in south Asia” [The Independent](#) 25 July 2020

- **Climate change and energy**

Carrington D “First active leak of sea-bed methane discovered in Antarctic” [The Guardian](#) 22 July 2020

“Poland mulls domestic ETS, drafts law in response to wild EU price volatility - environment minister” [Carbon Pulse](#) 24 July 2020

“Russia “extremely concerned” by EU carbon border tax plans, says could break WTO rules” [Carbon Pulse](#) 24 July 2020

Dziadosz A “US halts German Security Council push for UN climate conflict monitoring” [Clean Energy Wire](#) 24 July 2020

Ambrose J “MPs to check if the government's green plans are fit for purpose” [UK] [The Guardian](#) 24 July 2020

Lanna K “Mass. Legislative Leaders Consider Extending Session” [wbur](#) 22 July 2020

“Coal should play no part in post-coronavirus recoveries, U.N. chief says” [Reuters](#) 24 July 2020

“China announces coal shutdowns before year-end” [Carbon Pulse](#) 23 July 2020

Atkin E “Climate notes on the Democratic platform” [USA] [heated](#) 23 July 2020

“New technique to capture carbon dioxide could greatly reduce power plant greenhouse gases” [physics.org](#) 23 July 2020

“UK govt reveals details, launches consultation on post-Brexit carbon tax proposal” [Carbon Pulse](#) 22 July 2020

“Renewables overtake fossil fuels in EU power generation for first time –analysts” [Carbon Pulse](#) 22 July 2020

“DOJ may have fast tracked WCI linkage lawsuit to appeal case before presidential election –sources” [Carbon Pulse](#) 22 July 2020

“U.S. EPA proposing first-ever airplane emissions standards” [Reuters](#) 22 July 2020

“Australian Government sued by 23-year-old Melbourne student over financial risks of climate change” [ABC News](#) 22 July 2020

Plume K “Bayer launches carbon capture program for U.S. and Brazil farmers” [Reuters](#) 21 July 2020

“Governor Cuomo Announces Largest Combined Solicitations for Renewable Energy Ever Issued in the U.S. to Combat Climate Change” [Governor New York](#) 21 July 2020

Thornhill J “Solar surge is making coal plants unprofitable in top exporter” [IOL](#) 23 July 2020

Henbest S “In the future, solar and wind will be everywhere you look” [IOL](#) 23 July 2020

Kaufman L “Al Gore says the world has crossed a threshold on renewable energy” [IOL](#) 22 July 2020

Cockburn H “EU leaders slash climate budgets by tens of billions to cover coronavirus recovery package” [The Independent](#) 21 July 2020

Ambrose J “UK could face lawsuit over \$1bn aid to Mozambique gas project” [The Guardian](#) 20 July 2020

Bulbulia T “SAPVIA welcomes energy dept's commitment to dealing with energy security challenge” [Engineering News](#) 24 July 2020

Creamer T “Renewables zones in Emalahleni and Klerksdorp part of just-transition vision – Creecy” [Engineering News](#) 23 July 2020

Amelang S “Europe vies with China for clean hydrogen superpower status” [Clean Energy Wire](#) 24 July 2020

Dziadosz A “US halts German Security Council push for UN climate conflict monitoring” [Clean Energy Wire](#) 24 July 2020

- **Local government**

“California municipalities claim PG&E miscalculated electricity taxes by accounting for GHG credits” [Carbon Pulse](#) 23 July 2020

Busby M and Murray J “Extinction Rebellion protesters lock themselves to rig on River Thames” [The Guardian](#) 25 July 2020

Barkham P “Make nature part of 'build build build' policy, green watchdog says” [The Guardian](#) 25 July 2020

Zhou N “Against the tide: storm-battered residents cling to beachfront homes on Australian east coast” [The Guardian](#) 23 July 2020

- **Mining**

“Czech OKD looks to close all coal mines as early as 2021 or 2022” [New Europe](#) 24 July 2020

O'Malley N “Narrabri gas project to be one of Australia's top greenhouse emitters” [The Sydney Morning Herald](#) 25 July 2020

Slater D “Northern Dynasty's Pebble mine reaches key environmental milestone” [Mining Weekly](#) 24 June 2020

“US moves to streamline uranium extraction rules in bid to boost mining” [Mining Weekly](#) 24 July 2020

- **Water, waste, oceans and chemicals**

[NOAA](#) U.S. Department of Commerce “National Oceanic and Atmospheric Administration National Ocean Service Center for Operational Oceanographic Products and Services 2019 State of U.S. High Tide Flooding with a 2020 Outlook” (July 2020)

Johnson HS “Tourism sector continues taking action on plastic pollution” [eTN](#) 22 July 2020

“Ethiopia, Egypt and Sudan to hold more talks on Renaissance dam” [TimesLive](#) 22 July 2020

Maas C “California appeals court reduces damages against Bayer in Roundup cancer lawsuit” [The Jurist](#) 22 July 2020

Zoellner D “Ocean plastic could triple by 2040 and outnumber fish by 2050, study says” [The Independent](#) 24 July 2020

Turns A “Most UK sharks have consumed plastics, study finds” [The Guardian](#) 22 July 2020

Fellner C “The beach is riddled with asbestos': erosion unearths toxic legacy at Wamberal” [The Sydney Morning Herald](#) 25 July 2020

[The Conversation](#): Tekuya M “The Grand Renaissance Dam: what’s at stake and what could break the deadlock” 22 July 2020

Burger S “DWS being restructured to improve water management” [Engineering News](#) 23 July 2020

Waita E “Kenyan recycling firm mixes kitchen waste to boost urban farming” [Reuters](#) 24 July 2020

“Chemical leak from PVC plant hits France's southern coast” [Reuters](#) 24 July 2020

- **Miscellaneous**

Fakhri M and Tzouvala N “Making food cheaper won’t solve world hunger – time to look beyond the myth” [The Independent](#) 25 July 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

North-West University: Potchefstroom Law Clinic Project Manager

Enquiries: [Chrisna Landsberg](#)

Closing Date: 28 July 2020

Commencement of Duties: ASP

For Application Forms: Submit your CV to [Lizelle du Pizani](#)

North-West University: Potchefstroom Law Clinic - North West Access to Justice Cluster – Supervising Attorney

Enquiries: [Chrisna Landsberg](#)

Closing Date: 28 July 2020

Commencement of Duties: ASP

For Application Forms: Submit your CV to [Lizelle du Pizani](#)

University of Pretoria: Faculty of Law Department of Mercantile Law Senior lecturer

Closing date: 31 July 2020

More [information](#)

Nelson Mandela University Faculty of Law: Public law nGap position in Maritime Law

Closing date: 31 July 2020

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Nelson Mandela University Faculty of Law: Lecturer Mercantile law

Closing date: 31 July 2020

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Nelson Mandela University Faculty of Law: Senior Lecturer / Associate Professor Criminal and Procedural Law

Closing date: 31 July 2020

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Nelson Mandela University Faculty of Law: Criminal Justice and Law Enforcement

Closing date: 31 July 2020

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Frontline Africa Advisory: Stakeholder Relations and Research Coordinator, Pretoria, Gauteng

Closing date: 26 July 2020

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Vacancy: African Open Science Platform Director

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University of the Free State: Unit for Institutional Change and Social Justice: Gender Equality and Anti-discrimination Office Deputy Director

Closing date: 4 August 2020

More [information](#)

University of Cape Town: Faculty of Law Research Officer: Democratic Governance and Rights Unit

Qualifications: LLB and BSc with specialisation in Mathematics, Computer Science, Statistics or Physics, or B.Eng

Closing date: 3 August 2020

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International

[Climate & Ocean Research Fellow](#)

UC Berkeley's Center for Law, Energy & the Environment

[Doctoral Fellow in Criminology, Criminal Law and Social Law](#)

Ghent University Department of Criminology, Criminal Law and Social Law

[Dean of Management](#)

University of Ottawa

[Professorship of International Law](#)

Friedrich Schiller University of Jena Faculty of Law

[Junior Professor of Civil Law](#)

Free University of Berlin Department of Law

[Research Assistant in Law](#)

University of Hong Kong Department of Law

[Assistant Professor of Law and Technology](#)

VU University of Amsterdam Faculty of Law

[Assistant Professor of Law and Economics](#)

Utrecht University School of Economics

[Assistant Professor of Law](#)

Singapore Management University School of Law

[Researcher in Social Resilience and Adaptation to Climate Change](#)

Lund University Lund University Centre for Sustainability Studies

[Professorship of Legal Tech](#)

University of Zurich Faculty of Law

[Teaching Associate in Law](#)

University of Nottingham Department of Law

[Research Fellow in Crime Science](#)

University of Leeds School of Law

[Assistant / Associate Specialist in Law](#)

University of California Berkeley School of Law

[Lecturer in Human Rights](#)

University of California Davis

[Postdoctoral Scholar in Civil Rights](#)

University of California Los Angeles

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ELA NEWSLETTER 31

31 July 2020

Level 3 Lockdown

Remember to send your abstracts for the ELA e-Conference:

Closing date 7 August 2020.

Keep safe and keep contact via Facebook, the website, upcoming webinars and our monthly ELA Streaming Club.

International [Day](#) of the World's Indigenous Peoples 2020 – 9 August 2020

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN R816 in GG 43553 of 27 July 2020 - Directions regarding auctions and sales in execution conducted by Sheriffs of the Court
- BN 85 in GG 43571 of 31 July 2020 - Directions regarding livestock auctions
- GN 822 in GG 43564 of 28 July 2020 - Directions Relating to the Biodiversity Sector (Alert Level 3) published in GN 647 in GG 43409 of 5 June 2020 amended
- GN 843 in GG 43572 of 31 July 2020 - Home Affairs - Fourth Amendment Directions to the Directions published in Government Gazette No. 43162, Government Notice No. 416 of 26 March

NOTICES

Occupational Health and Safety Act 85 of 1993 - GN R824 in GG 43569 of 31 July 2020 - Draft Regulations for Hazardous Biological Agents – for comment

Competition Act 89 of 1998 - GN 831 in GG 43571 of 31 July 2020 - Call for submissions on Findings and Proposals of the Forestry Sector Impact Assessment July 2020

National Environmental Management Act 107 of 1998 – Gen Notice 394 in GG 43552 of 27 July 2020 - Eskom Medupi and Matmiba Coal-Fired Power Stations - Application for alternative limits in terms of the minimum emission standards – for consultation

National Environmental Management Act 107 of 1998 – GN 833 in GG 43571 of 31 July 2020 - Generic Environment Programme for the management and

mitigation of environmental impacts resulting from the implementation of the working for wetlands projects and the exclusion of these projects from the requirement to obtain an environmental authorisation - for comment

National Environmental Management Act 107 of 1998 – GN 834 in GG 43571 of 31 July 2020 - Generic Environmental Management Programme relevant to an application for environmental authorisation for the development or expansion of gas transmission pipeline infrastructure - for comment

National Environmental Management Act 107 of 1998 – GN 835 in GG 43571 of 31 July 2020 - Standard for the development of electricity transmission and distribution infrastructure within identified geographical areas and the exclusion of this infrastructure from the requirement to obtain an environmental authorisation - for comment

National Environmental Management Act 107 of 1998 – GN 836 in GG 43571 of 31 July 2020 - Identify the procedures to be followed in applying for or deciding on an environment authorisation for the development or expansion of gas transmission pipeline infrastructure when occurring in strategic gas pipeline corridors - for comment

National Environmental Management Act 107 of 1998 – GN 837 in GG 43571 of 31 July 2020 - Generic Environmental Management Programme for the management and mitigation of environmental impacts resulting from the implementation of working for water projects and the exclusion of these projects from the requirement to obtain an environmental authorisation - for comment

National Environmental Management Act 107 of 1998 – GN 838 in GG 43571 of 31 July 2020 - Generic Environmental Management Programme for the management and mitigation of environmental impacts resulting from the implementation of the LandCare projects and the exclusion of these projects from the requirements to obtain an environmental authorisation - for comment

National Environmental Management Act 107 of 1998 – GN 839 in GG 43571 of 31 July 2020 - Generic Environmental Management Programme and mitigation of environmental impacts resulting from the implementation of working for Ecosystems Projects and the exclusion of these projects from the requirement to obtain an environmental authorisation - for comment

National Environmental Management Act 107 of 1998 – GN 840 in GG 43571 of 31 July 2020 - Procedures to be followed when applying for or deciding on an environmental authorisation for the development of electricity transmission and distribution infrastructure when occurring in renewable energy development zones - for comment

National Environmental Management Act 107 of 1998 – GN 841 in GG 43571 of 31 July 2020 - Procedures when applying for the Large Scale Wind and Solar Photovoltaic facilities - for comment

National Environmental Management: Waste Act 59 of 2008 - GNs 817-820 in GG 43556 of 28 July 2020 - Extension of comment period on

- Proposed Extended Producer Responsibility Regulations, 2020 published for comment in GN 718 in GG 43481 of 26 June 2020

- Proposed Extended Producer Responsibility Scheme for the Electrical and Electronic Equipment Sector published for comment in GN 720 in GG 43483 of 26 June 2020
- Proposed Extended Producer Responsibility Scheme for Paper, Packaging and Some Single Use Products published for comment in GN 719 in GG 43482 of 26 June 2020
- Proposed Extended Producer Responsibility Scheme for the Lighting Sector published for comment in GN 717 in GG 43480 of 26 June 2020

Financial Markets Act 19 of 2012 - BN 89 in GG 43571 of 31 July 2020 - Amendments to the JSE Debt Listings Requirements published with effect from 30 days after publication

PROVINCES

Gauteng

Spatial Planning and Land Use and Management Act 16 of 2013 – Gen Notice 474 in PG 124 of 29 July 2020 - West Rand District Municipality - Draft Spatial Development Framework (2020) – for comment

Northern Cape

Spatial Planning and Land Use Management Act 16 of 2013 - MN 18 in PG 2356 of 27 July 2020 - Gamagara Local Municipality - Draft Spatial Development Framework – for comment

KwaZulu Natal

Local Government: Municipal Systems Act 32 of 2000 and Local Government: Municipal Finance Management Act 56 of 2003 - PN 70 in PG 2198 of 30 July 2020 - Dr Nkosazana Dlamini-Zuma Local Municipality - 2020/2021 Final Integrated Development Plan (IDP), Final Spatial Development Framework (SDF), Final Budget; and Tariff of Charges for 2020/2021

CASES

National

Eskom Holdings SOC Limited v National Energy Regulator of South Africa and Others (74870/2019) [2020] ZAGPJHC 168 (28 July 2020)

“[1] This is a review application in terms of the Promotion of the Administrative Justice Act 3 of 2000 ("PAJA") for the review and setting aside of a decision taken by the First Respondent, the National Energy Regulator of South Africa ("NERSA") in relation to an application made by the Applicant, Eskom Holdings SOC Limited ("Eskom") on 14 September 2018, for the approval of allowable revenue that would be reflected in electricity tariffs for the financial years of 2019/20, 2020/21 and 2021/22 ("the 2019/2022 application"). In this application, Eskom sought approval of:

1.1 Total Allowable Revenue of R219bn for financial year 2019/20, which would have translated into a tariff increase of approximately 15% to standard tariff customers.

1.2 Total Allowable Revenue of R252bn for financial year 2020/21, which would have translated into a tariff increase of approximately 15% to standard tariff customers.

1.3 Total Allowable Revenue of R291bn for financial year 2021/22, which would have translated into a tariff increase of approximately 15% to standard tariff customers.”

Normandien Farms (Pty) Ltd v South African Agency for Promotion of Petroleum Exploration and Exploitation SOC Ltd and Another 2020 (4) SA 409 (CC)

“Constitutional practice—Appeal—Leave to appeal—Mootness—Whether, despite issues having become moot since applying for leave to appeal, in interests of justice to grant leave—Factors to be considered restated—Conflicting judgments by different courts, where appeal court’s outcome having binding implications for future matters—In casu, decision sought to be appealed against not having binding effect—Application for leave to appeal dismissed.

Constitutional practice—Costs—Punitive costs order—Against applicant for leave to appeal—Where, knowing that issues had become moot since application made, applicant persisting with application in hope of reaching favourable settlement offer as to costs of previous litigation—Such conduct amounting to abuse of process warranting punitive costs order.”

Commissioner, South African Revenue Service v United Manganese of Kalahari (Pty) Ltd 2020 (4) SA 428 (SCA)

“Minerals and petroleum—Mines—Taxation—Royalty payable by ‘extractor’ on ‘transfer’ of ‘unrefined mineral resource’—Gross sales of unrefined mineral resource—Determination of—Meaning of ‘without regard to any expenditure’ in s 6(3)(b) of Royalty Act—Correctly interpreted, gross sales to be determined without regard to any expenditure incurred in respect of transport, insurance and handling of mineral—Mineral and Petroleum Resources Royalty Act 28 of 2008, s 6(3)(b). Revenue—Fiscal legislation—Interpretation—Role of context in purposive interpretation explained and confirmed.”

South Durban Community Environmental Alliance v MEC for Economic Development, Tourism and Environmental Affairs, Kwa-Zulu-Natal Provincial Government and Another 2020 (4) SA 453 (SCA)

“Administrative law—Administrative action—Review—After failure of internal appeal—In most cases, both decisions to be challenged—Whether twin challenges required depending on circumstances. Costs—Public interest litigation—Unsuccessful private litigant seeking environmental protection for poor community—No undue delay—Should not be mulcted in costs—Application of Biowatch principle against private entities—Court’s discretion in terms of National Environmental Management Act 107 of 1998, 32. Environmental law—Protection of the environment—Unsuccessful challenge to development proposal—Costs.”

Magnificent Mile Trading 30 (Pty) Ltd v Celliers NO and Others 2020 (4) SA 375 (CC)

“Minerals and petroleum—Mining and prospecting rights—Transition to new order under MPRDA—Transmissibility, after death of holder, of right arising from MPRDA—Mineral and Petroleum Resources Development Act 28 of 2002, sch II, item 8.

Administrative law—Administrative action—Invalidity—Consequences—Where invalid grant of prospecting rights under Mineral and Petroleum Resources Development Act 28 of 2002 competing with holder of pre-existing old order mineral right—Whether Oudekraal rule applicable, so that invalid grant first having to be set aside before pre-existing old order right could be asserted”

International

Friends of the Irish Environment CLG v The Government of Ireland, Ireland and the Attorney General [[Appeal No: 205/19](#)] The Supreme Court Delivered 31 July 2020 [Unapproved means the judgment has not been checked for typing errors etc]

“1.1 Climate change is undoubtedly one of the greatest challenges facing all states. Ireland is no different. There are many issues at the level of both policy and practice as to how the problems associated with climate change can, or should, be tackled. However, it is important to emphasise that these proceedings are concerned with whether the Government of Ireland (“the Government”) has acted unlawfully and in breach of rights in the manner in which it has adopted a statutory plan for tackling climate change. It is important at the outset to emphasise that the role of the courts generally, and of this Court in particular, is confined to identifying the true legal position and providing appropriate remedies in circumstances which the Constitution and the laws require.”

Theron v Village Council of Stampriet and Another 2020 (2) NR 524 (HC)

Spoliation—Mandament van spolie—When available—Cutting off of water supply—Local authority relying on provisions of credit and debtor control policy purportedly made under s 36 of Local Authorities Act 23 of 1992—Action taken not traceable to any law and policy by public authority not law—Applicant entitled to spoliation order.

Costs—Scale of costs—Punitive award—When made—Applicant obtaining spoliation order restoring water supply by local authority but had unlawfully and unreasonably refused to settle utility bills but had rather settled them with water corporation—Applicant not entitled to punitive costs order.”

PUBLICATIONS

National

2020 116(7/8) [South African Journal of Science](#) More eyes on Covid-19 – human and social perspectives – full issue [here](#)

Mowat S and Rhodes B “Identifying and assigning values to the intangible cultural benefits of ecosystem services to traditional communities in South Africa” 2020 116(7/8) [*South African Journal of Science*](#) <https://orcid.org/0000-0002-4643-140X>

Ngqwala NP and Muchesa P “Occurrence of pharmaceuticals in aquatic environments: A review and potential impacts in South Africa” 2020 116(7/8) [*South African Journal of Science*](#) <https://orcid.org/0000-0002-8842-0717>

Crafford PL and Wessel B “South African log resource availability and potential environmental impact of timber construction” 2020 116(7/8) [*South African Journal of Science*](#) <https://orcid.org/0000-0002-7995-1807>

International

Blackwell E *et al* “Tracking California's sinking coast from space: Implications for relative sea-level rise” 2020 6(31) [*Sciences Advances*](#) DOI: 10.1126/sciadv

UNDP “Gender Inequality and the COVID-19 Crisis: A Human Development Perspective” (Working [Paper](#) 13 July 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas, animal rights and culture**

[VDT Attorneys](#): “Cry havoc and let slip the dogs of war! Illegal hunting with dogs” 1 June 2020

- **Climate change**

[Webber Wentzel](#): Felekis A, Van der Poel J and Gabriels L “Details of R340bn infrastructure and energy project pipeline” 29 July 2020

[Webber Wentzel](#): Rapson G, Kilner K and Bogopa T “Incentivising strategic development: RED Zones, Power Corridors & Gas Pipelines” 28 July 2020

[Webber Wentzel](#): Ritchie S and Singh N “Filing and first payment requirement of carbon tax” 29 July 2020

[IOL](#): Franze M “Opinion: Electricity tariff complexity could see more defaulters, municipal strain” 28 July 2020

[Mining Weekly](#): Bischof-Niemz T “Opinion: Could Eskom be repurposed to become training ground for the energy transition?” 31 July 2020

- **Environmental enforcement**

[Lexology](#) ENS: Frittelli Davies C and Samuels R “Think twice before restraining environmental activism” 28 July 2020

- **Local government**

South African Research Chair in Cities, Law and Environmental Sustainability (CLES), North-West University and the Konrad-Adenauer-Stiftung (KAS): Online *Depository on Climate Action in South African Municipalities*. Access the depository [here](#)

The aim of this pilot project of ten municipalities is to make accessible information on how South African municipalities at present provide for climate action in their:

- Local laws (by-laws) and policies;
- Local spatial and management plans;
- Organisational structure of the municipality; and
- Local projects, programmes and other initiatives and experiments.

[The Conversation](#): Venter Z “We mapped green spaces in South Africa and found a legacy of apartheid” 29 July 2020

[The Conversation](#): Rossouw L and Christian CS “South Africans aren’t wearing masks or keeping their distance. This needs to change” 22 July 2020

[Engineering News](#): Slater D “DBSA disburses R4.5bn to Johannesburg, Tshwane for infrastructure” 31 July 2020

- **Mining**

[Mining Weekly](#): Slater D “B2Gold launches North American gold bar campaign to support rhino conservation” 31 July 2020

- **Water, waste, oceans and chemicals**

[Fasken](#): Joubert F and Rushton J “The draft Extended Producer Responsibility Regulations - greater responsibility for producers of lighting, electronic, paper and packaging products” 21 July 2020

- **Miscellaneous**

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[Science](#): Cornwall W “With powerful LED flashlights, humans are upping their jungle kills” 31 July 2020

[IOL](#): Hudleston S “CITES report slates Zimbabwe for exporting live elephants in contravention of treaty” 31 July 2020

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[The Conversation](#): Poulsen J “Gabon’s large trees store huge amounts of carbon. What must be done to protect them” 29 July 2020

- **Local government**

[ICLEI](#) Africa: “Lived experience shapes climate research: Using community insight to understand hazards, risks, and disaster implications in Rwanda” July 2020

[The Conversation](#): Haas ARN and Delbridge V “Africa’s high density urban settlements: cut the red tape and slash the cost of housing” 29 July 2020

- **Mining**

[Extractives Baraza](#): “Land Acquisition: Oil and Gas Project Affected Persons will be Adequately Compensated” 28 July 2020

- **Water, waste, oceans and chemicals**

[WWF](#) Video: “Accelerating Coastal Community-Led Conservation” 27 July 2020

[WWF](#) Video: “A new treaty to protect our ocean” 1 April 2020

[BBC](#): Abdelhadi M “Nile dam row: Egypt fumes as Ethiopia celebrates” 30 July 2020 [Legalbrief 30 July 2020]

[The Independent](#): Drury C “‘A thousand body bags were on standby’: a year on, new details emerge of desperate race to avert Whaley Bridge dam catastrophe” 1 August 2020

[The Conversation](#): Swain A “How the Grand Renaissance Dam might spark basin-wide water cooperation” 30 July 2020

[The Conversation](#): Muller M “Plans for a dam across the Nile triggered a war in 1956: will it happen again?” 30 July 2020

- **Miscellaneous**

[Natural Justice](#): Ngachi S “Don’t shoot the messenger: protecting Kenya’s land and environmental defenders” 30 July 2020

[Bizcommunity](#): “Africa’s coffee farmers are losing \$1.47bn a year to exploitative pricing” 30 July 2020

[The Conversation](#): Saks G *et al* “How South African food companies go about shaping public health policy in their favour” 30 July 2020

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- **Biodiversity, animal rights, national parks and culture**

[Science](#): Stokstad E “Many beloved garden flowers originated in this mountain hot spot—the oldest of its kind on Earth” 30 July 2020

[Science](#): O’Grady C “Ancient bones in disturbed peat bogs are rotting away, alarming archaeologists” 29 July 2020

[Science](#): Price M “Long-lost relic may reveal origins of Stonehenge” 29 July 2020

[Science](#): Stone R “Siberia’s ‘gateway to the underworld’ grows as record heat wave thaws permafrost” 28 July 2020

[Science](#): Stokstad E “Not even scientists can tell these birds apart. But now, computers can” 28 July 2020

[IISD](#) SDG Knowledge Hub: Hewitt D “Legal and Sustainable Timber Trade is Essential to COVID-19 Economic Recovery” 30 July 2020

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[Lexology](#): “Should trees have standing?” [New Zealand] 23 July 2020

[IISD](#) SDG Knowledge Hub: Tsiounami E “Re-imagining the Post-2020 Global Biodiversity Framework in the COVID-19 Era” 28 July 2020

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- **Climate change and energy**

[Euractiv](#): Janssen D “Wind industry ‘remained resilient’ during COVID-19 crisis” [EU] 30 July 2020

[The Conversation](#): Peel J and Markey Towler “‘A wake-up call’: why this student is suing the government over the financial risks of climate change” 27 June 2020 – read also [New York Times](#)

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[Lexology](#): “Federal Government Releases Strategic Assessment of Climate Change” [Canada] 29 July 2020

[Lexology](#): “Artificial Intelligence and Satellite Technology to Enhance Carbon Tracking Measures” 29 July 2020

[Lexology](#): “European Commission Launches Innovation Fund Call for Proposals to Support Innovative Clean Energy Projects” 30 July 2020

[Lexology](#): “French Financial Legal Committee Report Reflects on Climate Change Liability” 30 July 2020

[Lexology](#): “The Green Deal at the Border: Public Consultation on the EU Carbon Border Adjustment Mechanism Launched” 28 July 2020

[Lexology](#): “CLIP of the month: The role of competition law in addressing climate change” [Netherlands] 28 July 2020

[Lexology](#): “Climate Change Disputes Take Center Stage at Paris Arbitration Week (PAW)” 27 July 2020

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[Lexology](#): “Government to introduce CO₂ emissions tax for industrial companies” [Netherlands] 27 July 2020

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[The Guardian](#): Holmes à Court S “Australia’s trilemma of providing good, fast and cheap energy finally has a clear solution” 31 July 2020

[The Independent](#): Giordano C “‘Remarkable’: Environmentalists hail increasing number of tigers in five countries” 29 July 2020

- **Environmental enforcement**

[Lexology](#): “EPA Rules Rewrite: What’s in a Name?” [USA] 29 July 2020

[Lexology](#): “CEQ Finalizes Overhaul of NEPA Regulations and Narrows Consideration of Climate Change Effects” [USA] 29 July 2020

[Lexology](#): “Final Revisions to NEPA Regulations: Six Highlights from Major Rule Overhaul” [USA] 29 July 2020

[Lexology](#): “Legal Environmental Insights Podcast | Empire Environmental - Episode 1: National Environmental Policy Act’s (NEPA) Recent Changes” 27 July 2020

[Lexology](#): “European [Court of Justice](#) Imposes Stringent Environmental Assessment Requirements for Renewable Energy Projects” 30 July 2020

[Lexology](#): “NEPA final rule overhauls environmental reviews” 27 July 2020

[Lexology](#): “Environmental Compliance: Readiness for a Potential Change in Administration” [USA] 28 July 2020

[Lexology](#): “What is and is not modernized in Ontario's re-write of its Environmental Assessment Act” [Canada] 28 July 2020

- **Local government**

[IISD](#) SDG Knowledge Hub: “C40 Mayors Propose [City Actions](#) for “Green and Just” Recovery from Pandemic” 30 July 2020

[UNDP](#): “The 2020 Global Multidimensional Poverty Index (MPI)” (July 2020)

[ICLEI](#) City Talk: Van Begin G “Sustainability and Local Governments in the Context of the COVID-19 Pandemic” 29 July 2020

[ICLEI](#) Oceania: “Concurrent disasters, the new normal? Six months after the Australian bushfires” 15 July 2020

[ICLEI](#): “Local governments benefit from Google's Environmental Insights [Explorer](#)” 24 July 2020

[ICLEI](#): “Resilience framework for coastal cities”

[The Independent](#): Beament E “More than 1,300 English sites exceed annual pollution limits, analysis suggests” 29 July 2020

- **Water, oceans, waste and chemicals**

[Science](#): Pennisi E “Scientists pull living microbes, possibly 100 million years old, from beneath the sea” 28 July 2020

[Lexology](#): “New DOJ Guidance Seeks to Limit Federal Enforcement under the Clean Water Act” [USA] 29 July 2020

[IISD](#) SDG Knowledge Hub: Fortuna S “Mangroves: A Unique Ally in the Climate Emergency” 30 July 2020

[Lexology](#): “EPA Abandons Joint Issuance of Surface Water Discharge Permits with Massachusetts” [USA] 28 July 2020

[Lexology](#): “EPA Approves First Surface Disinfectants for On-Label Efficacy Claims Against the Novel Coronavirus” 28 July 2020

- **Miscellaneous**

[Science](#): Mann A “From rocks to icebergs, the natural world tends to break into cubes” 27 July 2020

[IISD](#) SDG Knowledge Hub: “WEF [Report](#) Makes Case for Nature-positive Economy” 30 July 2020

[UNDP](#): “COVID-19 and the SDGs: How the ‘roadmap for humanity’ could be changed by a pandemic” July 2020

[UNDP](#) SDG Integration: Integrated solutions for sustainable development

[Physicsworld](#): “Earth’s atmosphere rings like a giant bell, say researchers” 24 July 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club Session 4: Save the date

Date: Tuesday, 31 August 2020

Consult the ELA Facebook for more information

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: Week of 31 August to 5 September 2020

Place: Virtual

Deadline for abstracts: 7 August 2020

Call for papers [here](#)

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: September 2020

Closing date: **7 August 2020**

Place: Virtual

Fine call for papers [here](#).

LDRN 5th Annual Conference: Challenges for Law and Development: Responses

Dates: 21 – 23 September 2020

Venue: Nelson Mandela University, Port Elizabeth, South Africa

Questions via the [website](#) or to [Tanya Stephens](#) or [Joanna Botha](#)

LaRSSA 2020 Conference: Vision 2020: Lessons from Hindsight inspiring Innovation

Date: 14-17 September 2020

Place: Kievitskroon Pretoria

[Abstracts](#)

More information: [Theresa](#) Jansen van Rensburg / 081 484 6833 / cell/whatsapp

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 29 September to 1 October 2020, in Pretoria – more information [here](#)
- 25 – 27 August 2020, near Stellenbosch – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)
- 28 - 30 July 2020, in Durban – 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](#)

ICLEI Webinar: Localising the Sustainable Development Goals (SDGs): Lessons from South Africa

Date: 4 August 2020

Time: 14:00 CEST

More [information](#)

International

Webinar: Best Practices in AC Efficiency Policy: Experiences from Brazil, China, and India"

Date: Wednesday 5 August 2020

Time: 7 am Washington, DC | 8 am Brasilia | 4:30 pm New Delhi | 7 pm Beijing (2 hours)

Register [here](#)

Environment, Energy and Natural Resources (EENR) Center at the University of Houston Law Center, The New Energy Landscape: COVID-19, Climate Change and Diversification

Date: Tuesday, August 18, 2020

Time: 8:45 a.m. – 12:45 p.m. CDT

Online via Zoom

Register here: [Register Link](#)

See the agenda here: [Agenda](#)

NEWS

National

- **Biodiversity**

Singh K “Feel Good | Durban boy surpasses R15k fundraising goal for bird park - and gets special visit on his birthday” [News24](#) 28 July 2020

Seleka N “Mozambican father, son in court for possession of rhino horns, shark fins” [News24](#) 28 July 2020

Wild S “Cloud computing to help save Cape’s unique fynbos” [GroundUp](#) 28 July 2020

“South Africa cuts rhino poaching by half: Barbara Creecy” [TimesLive](#) 1 August 2020

Walters T “‘200,000-plus’ wild animals slaughtered in Table Mountain National Park by Cape Town cats each year” [Daily Maverick](#) 30 July 2020

Cherono S “Kenya: Battle Against Desert Locusts Almost Won, UN Agency Says” [allAfrica](#) 29 July 2020

Covid-19 crisis: Hunting industry angered by new regulations

“The hunting industry is consulting lawyers after new Covid-19 regulations effectively closed the industry for a second time, according to a Beeld report. Pieter Potgieter, president of the Professional Hunting Association of SA, says they initially thought the new regulations were fake news. The regulations prohibit any overnight accommodation for hunting purposes as well as interprovincial travel for hunting. Local hunting expeditions have been allowed since June, but the industry says the latest regulation effectively closes them down allowing hunting during daytime only. The FF Plus criticised the regulations, saying it shows Minister Barbara Creecy’s ‘ignorance’ about the industry and how it works. The party says it is continuing with a court case challenging certain lockdown regulations. Role-players in the hunting industry will meet on 6 August to discuss their options.

More on this in POLICY WATCH section (below)”

Full Beeld report (subscription needed) Legalbrief 30 July 2020

Covid-19 crisis: Biodiversity directive clarifies position on hunting

“‘Travel within a province with the primary purpose to hunt ... to obtain ... meat for consumption’ is permitted, according to a new ministerial directive on measures to curb the spread of Covid-19 in the biodiversity sector. However, providing ‘any form of accommodation for hunting purposes’ is not. While botanical gardens may now open ‘for exercise purposes only’, zoos, aquaria, animal rehabilitation facilities

and sanctuaries normally open to the public must remain closed. Gazetted on Tuesday and immediately effective, the directive also prescribes the health, hygiene and physical distancing protocols to be observed at wildlife auctions.”
Read full report in Legalbrief Policy Watch 30 July 2020

- **Climate change and energy**

Yeld J “Creecy poised for West Coast wind farm decision” [GroundUp](#) 31 July 2020

Skiti S “Eskom cancels dodgy R100m tender linked to Mabuza’s niece” [Mail & Guardian](#) 31 July 2020

Maeko T “Solar stuck where sun don’t shine: State spends R289m to store solar water heaters” [Mail & Guardian](#) 30 July 2020

Smit S “Covid-19 puts green energy in a coma” [Mail & Guardian](#) 31 July 2020

“No decisions about our energy future without transparency, says groundWork” [CER](#) 28 July 2020

Wehrmann B “Modest wind power expansion recovery in Germany fails to allay industry fears” [Clean Energy Wire](#) 30 July 2020

Baigrie B “Only a public pathway for electricity supply can meet the climate crisis challenge (Part 3)” [Daily Maverick](#) 30 July 2020

Mahlaka R “Court questions Nersa’s competence and credibility as an energy regulator” [Daily Maverick](#) 29 July 2020 – read also [Bizcommunity](#)

Arnoldi M “GroundWork approaches court over IRP” [Mining Weekly](#) 31 July 2020

Litigation: Greens group takes on Mantashe over coal plans

“Environmental lobby group groundWork has filed court papers challenging the inclusion of coal in the Integrated Resources Plan (IRP), Beeld reports. The NGO says it approached Energy Minister Gwede Mantashe on several occasions after the IRP was published in October with a request for reasons for the prominent role of coal in the IRP, but there was no response. ‘Now we are taking him to court to explain why coal is still part of the plan,’ groundWork’s Robby Mokgalaka says. The NGO argues that SA will not honour its obligations in terms of the Paris climate change agreement if the IRP is left unchallenged. Nathi Shabangu, Mantashe’s spokesperson, confirmed receipt of the court papers, but said it was unlikely the department would be able to respond during the lockdown. Mantashe and the other party, Nersa, has until 15 August to note their intention to oppose.”

Full Beeld report (subscription needed) Legalbrief 30 July 2020 also

Energy: Tariff win will hasten Eskom demise – expert

“SA’s energy regulator is fuming over Tuesday’s court ruling ordering it to add R69bn to the electricity tariff over three years, but Eskom is exalting in the outcome as paving the way to its financial sustainability. A Business Day report says the utility’s elation is short-sighted, as the court ruling is no victory for Eskom and will only hasten its inevitable demise. Energy expert and MD of EE Business Intelligence, Chris Yelland, said Eskom has only three ways to get the money it needs: revenue from the tariff, cash injections from the shareholder (the government) or borrowing. ‘Eskom is saying the tariff has been kept artificially low by Nersa for years and though it has received some bailouts from the government,

it's not been enough to prevent borrowings from growing to unsustainable levels,' he said. 'Nersa argued it was acting in the interest of the country – but in doing so (it was) breaking its own methodology. Legally it does not have discretion to misappropriate government funds.' While the court ruling will help Eskom's cash flow in the short term, it will ultimately accelerate its death spiral, Yelland added. Tuesday's court ruling and the R69bn that will be reflected in customer bills will undoubtedly send Eskom sliding down another rung on the spiral. 'The business case for alternatives just becomes better and better.' He said while Eskom and others may work to slow the move to alternatives, ultimately 'it is just going to happen'."

Full Business Day report (subscription needed) Legalbrief 30 July 2020

- **Local government**

Petersen T "10 000 Cape Town informal traders to get sanitisers, masks, 1.5m mats to trade safely" [News24](#) 31 July 2020

Nkanjeni U "Covid-19 district model to 'correct' inequalities in SA? What you need to know" [TimesLive](#) 24 July 2020

Schermbrucker N "We won't fix development until we fix our municipalities" [GroundUp](#) 30 July 2020

Majola N "Municipality hands over RDP houses without water, toilets or electricity" [GroundUp](#) 28 July 2020

Mafolo K "City of Cape Town to sell council land in Kraaifontein and Khayelitsha" [Daily Maverick](#) 30 July 2020

- **Mining**

Secombe A "Anglo wants mining industry talks with Cyril Ramaphosa" [BusinessLive](#) 30 July 2020 [Legalbrief 31 July 2020]

Ritchie G and Sole S "Mining deal favours Limpopo first family and big business" [amaBhungane](#) 27 July 2020

Mahlaka R "Creditors throw their weight behind the liquidation of Gupta-linked Optimum Coal Mine" [Daily Maverick](#) 30 July 2020

- **Water, oceans, waste and chemicals**

Nyatsanza S "Cigarette butts stink – and are a major cause of plastic pollution" [Daily Maverick](#) 30 July 2020

Ellis E "Water outages hit Nelson Mandela Bay as dams drop to 17%" [Daily Maverick](#) 30 July 2020

Environmental: More time for waste management comment

"The deadline for input on waste management proposals for the lighting sector, paper and packaging sector and electrical and electronic equipment sector has been extended to 26 August. The same new deadline applies to input on a draft framework for the development, implementation, monitoring and evaluation of extended producer responsibility schemes also affecting importers and brand owners. Read full report in Legalbrief Policy Watch 29 July 2020

Criminal: Water board bosses to face 59 charges

“The suspended CEOs of the Lepelle Northern and Amatola water boards – Phineas Legodi and Vuyo Zitumane – face 59 charges between them, including financial misconduct, insubordination and irregular expenditure. Times Select says the charge sheet shows Legodi is facing 28 charges relating to failure to prevent irregular expenditure worth R39m. Legodi is also accused of wasteful expenditure to the tune of R4m. On 1 June, he allegedly instituted legal action against Human Settlements, Water & Sanitation Minister Lindiwe Sisulu without being authorised by Lepelle’s interim board leading to an additional charge of insubordination. The charge sheet said Legodi entered into a contract with a company to collect historic debt worth more than R448.6m, and nine of the charges relate to supply chain processes not being followed. Other charges include four charges for appointing the same company to conduct an investigation into illicit business dealings between the board, executive management and other employees; and investing R11.7m with an investment and asset management company without authorisation. Zitumane’s lawyer, Java Mama, said his client had not yet received any charge sheet from Amatola Water. ‘What we received on 25 June was a letter, but no charges. That letter gave us only a day for a hearing,’ Mama said, adding all attempts to get the charge sheet and the authority to contact some employees Zitumane wished to use as witnesses were ignored.”

Full Times Select report (subscription needed) Legalbrief 28 July 2020

- **Miscellaneous**

Chabana C “Opinion | Public participation is the biggest casualty of Covid-19” [News24](#) 28 July 2020

“Minister Creecy’s speech during budget plenary on revised DEFF budget and annual performance plan 2020/21” [DEFF](#) 23 July 2020 [Legalbrief Environmental 28 July 2020]

Mathe T “Jobs at stake as financial losses hit ArcelorMittal” [Mail & Guardian](#) 30 July 2020

Muzondo C and Bridle R “South Africa prioritises fossil fuels over clean energy in post-Covid-19 recovery packages” [Mail & Guardian](#) 28 July 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Briggs H “Covid-19: Infectious coronaviruses 'circulating in bats for decades'” [BBC](#) 29 July 2020

“Lowly flies get super names as scientists find inspiration in Marvel” [Australia] [Reuters](#) 29 July 2020

Valente M “Argentina counts on new satellite technology to guard forests day and night” [Thomas Reuters Foundation](#) 27 July 2020

“Tanzania: Milestone as Poaching Falls By 80%” [allAfrica](#) 1 August 2020

Smith H “Developers v Durrell: the battle over Corfu’s 'jewel of nature'” [The Guardian](#) 1 August 2020

Hunt E “Sowing doubt: people around world receive mystery seed parcels” [The Guardian](#) 1 August 2020

Goñi U “‘Everything is burning’: Argentina’s delta fires rage out of control” [The Guardian](#) 30 July 2020

Okiror S “Landmark ruling sees Ugandan poacher jailed for killing Rafiki the gorilla” [The Guardian](#) 31 July 2020

Carrington D “Quarter of native UK mammals at imminent risk of extinction” [The Guardian](#) 30 July 2020

Hannam P “Erosion risks ‘underestimated’ as more wild weather forecast” [Sydney Morning Herald](#) 31 July 2020

Spring J “Fires in Brazil’s Amazon rainforest surge in July, worst in recent days” [Reuters](#) 1 August 2020

Benza B “Botswana says natural toxin could be behind elephant deaths” [Reuters](#) 30 July 2020

Hortal J and Santos AMC “Rethinking extinctions that arise from habitat loss” [Nature](#) 29 July 2020

- **Climate change and energy**

“Ireland forced to strengthen climate plan in second landmark court ruling” [Carbon Pulse](#) 31 July 2020 [See also Cases]

“Germany sees record use of green power in H1 but demand fell 5.7%” [Reuters](#) 30 July 2020

Morehouse C “New Mexico approves 100% renewable replacement for San Juan coal capacity” [UtilityDive](#) 30 July 2020

“EU seeks to ‘green’ little-known fund for coal and steel research” [Carbon Pulse](#) 29 July 2020

Maas C “Federal judge: EPA failed to prepare implementation plans for ozone standards” [The Jurist](#) 29 July 2020

Williams K “Volkswagen completes \$9.5B consumer compensation program following FTC complaint” [The Jurist](#) 29 July 2020

Liedtke S “Draft EIS for Lithium Americas’ Nevada project now open for comment” [Mining Weekly](#) 31 July 2020

Samora R “Petrobras says ready to launch soy-based renewable diesel upon regulatory approval” [Reuters](#) 1 August 2020

“Gas utility pushes back in court on California energy policy document” [Reuters](#) 1 August 2020

Dziadosz A “Large amounts of methane leak into North Sea from abandoned oil and gas wells – study” [Clean Energy Wire](#) 31 July 2020

Amelang S “Europe must take ambitious lead in green hydrogen – German govt advisor” [Clean Energy Wire](#) 27 July 2020

“Resurrected – Even before the country's coal phaseout law enters into force, Germany's Economy Minister Peter Altmaier is facing legal headwinds. The Essen-based coal-fired power plant operator Steag on Wednesday submitted an urgent application to the Federal Constitutional Court against the controversial law. Steag, which is partly owned by the local authority, sees its hard coal-fired power plants as being significantly disadvantaged compared to operators of lignite-fired power plants. Steag wants the amounts of electricity tendered during the exit increased in favour of hard coal, with higher prices for each megawatt of decommissioned hard coal capacity, though the company expressly does not attack the goals of the Coal Exit Act and the CO2 quantities agreed therein. The last coal-fired power plant in Germany is to be shut down in 2038, and Altmaier had hoped to have finally resolved the long-standing dispute over a socially acceptable exit from coal power generation by presenting the law a few weeks ago. (Der Spiegel)” CP Daily 30 July 2020

- **Local government**

Sharma A “Kashmir domicile law raises fears of losing land and culture” [Thomas Reuters Foundation](#) 28 July 2020

Morss A “Residents of England's most polluted spot divided over solution” [The Guardian](#) 1 August 2020

Laville S “UK waste incinerators three times as likely to be in deprived areas” [The Guardian](#) 31 July 2020

Holden E “Air pollution remains worst in US communities of color despite progress” [The Guardian](#) 30 July 2020

- **Mining**

Barteczko A “Update 1-Poland scraps mine closure plan opposed by coal unions” [Reuters](#) 28 July 2020

Chambers S “Maersk Drilling invests in new Carbon-Negative Energy” [Splash247.com](#) 29 July 2020

Chandran R “Deadly land conflicts seen rising as threat from industry grows” [Thomas Reuters Foundation](#) 29 July 2020

Hill T “Governments underestimating global coal phase-out challenge, energy experts warn” [Business Green](#) 28 July 2020

“Chilean regulators charge BHP's Escondida copper mine with water misuse” [Mining Weekly](#) 31 July 2020

Sherwoord R “Chilean regulators scrap lithium miner SQM's environmental plan” [Reuters](#) 1 August 2020

Volvovici V “Green groups warn of 'toxic' dumping with New Mexico's fracking wastewater law” [Reuters](#) 31 July 2020

“Iran clears oil spill in northern Gulf region, IRNA agency reports” [Reuters](#) 1 August 2020

- **Water, waste, oceans and chemicals**

Stevens P “Coastal flooding puts 20% of global economy at risk by 2100, new report finds” [CNBC](#) 30 July 2020

Chandran R “Flood risk for 1 million in Phnom Penh as wetlands destroyed” [Thomas Reuters Foundation](#) 27 July 2020

“Ethiopia: Financial Contribution Surges Sharply in the Wake of Historic GERD First Filling” [allAfrica](#) 1 August 2020

“Nigeria: Lagos Govt, Unable to Provide Water for Residents, Criticised for Sealing Private Water Agency” [allAfrica](#) 29 July 2020

Turns A “Small crustacean can fragment microplastics in four days, study finds” [The Guardian](#) 30 July 2020

- **Miscellaneous**

Sarkar S “India's tribal farmers tap solar irrigation to cut migration” [Thomas Reuters Foundation](#) 27 July 2020

“Food giants appointing teams to focus on plant-based products” [Bizcommunity](#) 30 July 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

KAS Sponsored LLM Bursary 2021 Strong Cities 2030 – NWU SARCHI CLES Chair

Prospective students to apply via email to [Rongedzayi](#) by 30 September 2020 – or email him for more information

The Konrad-Adenauer-Stiftung (KAS) and the South African Research Chair in Cities, Law and Environmental Sustainability (SARCHI CLES) invites applications for a comprehensive 2-year LLM Scholarship (2021-2022).

- The successful applicant (hereafter scholarship holder) would have to meet the entry requirements for a full-time LLM by Research degree at CLES (NWU).
- The scholarship holder must comply with all of the academic rules of the NWU (institutional) and the Faculty of Law as applicable to postgraduate students.
- The scholarship holder is expected to conduct a Masters study on a full-time basis that is directly related to the research agenda of CLES and the KAS “Strong Cities 2030” Project, under the supervision or co-supervision of the Chair holder.
- The scholarship holder is expected to be resident at the NWU in Potchefstroom, South Africa for the duration of the scholarship.
- The scholarship holder must either be a South African citizen or be in possession of a valid study permit issued by the South African Ministry of Home Affairs.
- The duration of the scholarship is February-December for a maximum period of two years, depending on satisfactory progress.

The objective of this Masters Scholarship Programme is to build research capacity in the context of the work of the KAS Strong Cities 2030 Programme and CLES. Together, these institutions aim at adding new knowledge to the

research fields of good urban governance, urban law, sustainable cities and the global and African regional development agenda.

Applications to include the following:

- A cover letter with motivation for the application and outlining the applicant's research interests.
- A full CV.
- Two written references.
- Completed KAS questionnaire.
- Certified copies of all academic qualifications (please request from [Rongedzhai](#)).
- June results and / or academic transcript of previous degree.
- One example of written work on a topic relevant to CLES's focus (preferably final text of a LLB-level dissertation or research assignment)

KAS and CLES will invite shortlisted candidates for an interview in Johannesburg, South Africa or a virtual interview via Zoom.

For more information, contact: Prof [Anél du Plessis](#)

For more information on the KAS Strong Cities 2030 [Programme](#), see [here](#).

More [information](#) on CLES, or follow us on [Facebook](#).

UN-Habitat: Call for home based interns in its legal division (unpaid positions)

Closing date: 12 August 2020

More [information](#)

UWC: Senior Lecturer in Public law and Jurisprudence

Closing date: 15 August 2020

More [information](#)

University of Johannesburg: Executive Manager (IP law) (3YR CONTRACT, extendable on satisfactory performance)

Closing date: 14 August 2020

More [information](#)

Mancosa Durban: Teaching and Learning Coordinator

Closing date: 14 August 2020

More [information](#)

PhD Scholarship, University of Cape Town: Power sector investment and market transitions in Africa

Applications are invited for the above scholarship for PhD students in the Power Futures Lab at the Graduate School of Business (GSB) to conduct full-time research in one of the following areas:

- 1) Chinese investments in the power sector in Africa; or
- 2) Distributed energy resources and power market transitions in Africa.

The successful candidate must comply with the University of Cape Town's approved policies, procedures and practices for post-graduate studies and needs to apply for full-time PhD study through the standard processes for acceptance onto the GSB's PhD programme .

The scholarship's value is R283,000 for the 2021 academic year and may be renewed for a further two years, depending on satisfactory progress. Further research stipends may also be available.

Applicants should have a first-class academic record, a Master's Degree in a relevant discipline and will also have to demonstrate their ability and commitment to independent research within a small and diverse team.

Applications should include a covering letter on their academic achievements, motivation to undertake full-time PhD research and the rationale for their choice of research topic, and should include their academic transcripts as well as their CV and the names and contacts of three referees who can attest to their academic and research abilities and character.

Preference will be given to black South African students, although all eligible and complete applications will be considered by the Director of the Power Futures Lab.

The closing date for applications is 30 August 2020.

Applications may be sent to [Fazlin Harribi](#).

International

[Assistant Professor of Food, Biodiversity and Climate](#)

VU University of Amsterdam Institute for Environmental Studies Netherlands

[Assistant Professorship of Ecology](#)

University of Basel Department of Environmental Sciences Switzerland

[Research Assistant in Ecology, Environment and Plant Sciences](#)

Stockholm University Department of Ecology, Environment and Plant Sciences Sweden

[PhD Position in Biodiversity Conservation in Times of Climate Change](#)

VU University of Amsterdam Institute for Environmental Studies Netherlands

[Assistant Professor of Law and Economics](#)

Utrecht University School of Economics Netherlands

[PhD Scholarship in Energy Studies](#)

Monash University Australia

[Research Associate in Environmental Policy](#)

Imperial College London Centre for Environmental Policy United Kingdom

[Research Assistant in Mineral Resources](#)

RMIT University Australia

[Research Fellow in Sustainable Minerals](#)

University of Queensland Sustainable Minerals Institute Australia

[Postdoctoral Position in Natural Resources and Sustainable Development](#)

Uppsala University Department of Earth Sciences Sweden

[Professorship of International Law](#)

Friedrich Schiller University of Jena Faculty of Law Germany

[Assistant / Associate Professor of Global Food Systems Sustainability](#)

Wageningen University Netherlands

[Assistant Professor of Law and Technology](#)

VU University of Amsterdam Faculty of Law Netherlands

[Assistant Professor of Law](#)

Singapore Management University School of Law Singapore

[Teaching Associate in Law](#)

University of Nottingham Department of Law United Kingdom

[Research Fellow in Political Philosophy or Legal Theory on the Legitimacy of International Courts](#)

University of Oslo Norway

[PhD Scholarship in Law](#)

Monash University Faculty of Law Australia

[Postdoctoral Scholar in Civil Rights](#)

University of California Los Angeles United States

[Researcher in Social Resilience and Adaptation to Climate Change](#)

Lund University Lund University Centre for Sustainability Studies Sweden

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.



A Public Benefit Organisation



ELA NEWSLETTER 33

14 August 2020

Level 2 Lockdown

Keep safe and keep contact via Facebook, the website, upcoming webinars and our monthly ELA Streaming Club.

ACTS

National Public Health Institute of South Africa Act 1 of 2020 - GG 43604 of 7 August 2020 – commencement to be proclaimed

DIRECTIONS

Disaster Management Act 57 of 2002 – Directions - GN R878 in GG 43611 of 13 August 2020 - Covid -19 Temporary Employee/Employer Relief Scheme (C19 Ters) Direction, 2020 published in Gen Notice 215 in GG 43161 of 26 March 2020 amended by Direction Extending COVID-19 TERS Benefits for Certain Categories of Employees published with effect from 27 June 2020 until 15 August 2020

NOTICES

Spatial Land Use Management Act 16 of 2013 – GN 879 in GG 43613 of 14 August 2020 - Spatial Planning and Land Use Management Act: Regulations - Cancellation of agreement for establishment of joint municipal planning tribunal between Umdoni, Vulamehlo and Umzumbe local municipalities

Disaster Management Act 57 of 2002 – GN 889 in GG 43616 of 15 August 2020 - Disaster Management Act, 2002 Extension of a National State of Disaster (Covid -19)

PROVINCES

Gauteng

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 827 in PG 138 of 12 August 2020 - Merafong City Local Municipality - Spatial Development Framework, 2016-2021; notice of adoption of the Land Use Management Document, 2020; and amendment of tariff charges

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 827 in PG 138 of 12 August 2020 - Merafong City Local Municipality - Spatial Planning and Land Use Management By-law, 2016 [sic]

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 - MN 62 in PG 2202 of 7 August 2020 - eThekweni Local Municipality - Municipal Spatial Development Framework 2020-2021

Mpumalanga

Spatial Planning and Land Use Management Act 16 of 2013 - PN 79 in PG 3180 of 14 August 2020 - Msukaligwa Local Municipality - Spatial Development Framework

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20353 in PG 8301 of 11 August 2020 - City of Cape Town Metropolitan Municipality - Draft [sic] Coastal By-law, 2020

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20395 in PG 8309 of 14 August 2020 - City of Cape Town Metropolitan Municipality - Correction notice for Coastal By-law, 2020 – see above

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20375 in PG 8309 of 14 August 2020 - Drakenstein Local Municipality - Appointment of members to serve on the Municipal Planning Tribunal

Spatial Planning and Land Use Management Act 16 of 2013 – LAN 20379 in PG 8309 of 14 August 2020 - Theewaterskloof Local Municipality - Municipal Spatial Development Framework (MSDF)

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 140 in PG 4431 of 14 August 2020 - Kouga Local Municipality - declaration of Local State of Disaster due to breaching and imminent further breaching of the St Francis Bay Beach Spit

CASES

National

City of Cape Town v National Energy Regulator of South Africa and the Minister of Energy [Case no 51765/17](#) Gauteng High Court Decided 11 August 2020

“[1] The applicant, the City of Cape Town (“the City”) purchases approximately 99.3% of its electricity from Eskom. It purchases the remaining 0.7% from Darling Wind Project, a wind power generation project in Darling, Western Cape.¹ The City wants to purchase more renewable energy from independent power producers (“IPPs”), without first seeking the consent of the second respondent, the Minister of Energy, (“the Minister”),

as is currently the practice under section 34 of the Electricity Regulations Act 4 of 2006 (“ERA”).² The City believes that buying electricity from IPPs is in the best interest of its community, because it will diversify its sources of electricity and thus enhance its security of supply. The City is also of the view that it will be more environmentally friendly and cost effective to purchase electricity from IPPs as opposed to purchasing the electricity generated by Eskom.” ...

“[3] This is an application in which the City seeks an order declaring that a s 34 ministerial determination is not required for an IPP to establish a new power plant and supply electricity to the City. If it is held that such a determination is required, then the City seeks, by way of the first alternative, an order declaring s 34 unconstitutional and invalid because it impermissibly trenches upon the constitutional powers and functions of local government. The City’s application is supported by the amicus curiae, the Centre for Environmental Rights.”

South African Association for Water Users Associations and Others v Minister of Water and Sanitation and Others; Lotter N.O and Others v Minister of Water and Sanitation and Others, Wiid and Others v Minister of Water and Sanitation and Others (71913/2018; 42072/2018; 90498/2018) [2020] ZAGPPHC 364 (12 August 2020)

“[3] The main reason the applicants seek leave to appeal, they submit, is that this Court erred in its conclusion on the correct interpretation of section 25 of the National Water Act No. 36 of 1998 (the Act) and therefore there are reasonable prospects that another court will come to a different conclusion, more so, as there are conflicting judgments on this issue. It therefore raises a substantial and important point of law. It is also of considerable importance not only to the parties but also to the public at large.”

“[7] Although the respondents oppose the application on the basis that the appeal does not have reasonable prospects of success, they concede that the correct interpretation of s25 of the Act does raise a substantial and important point of law and it is of considerable importance not only to the parties but also to the public at large. Furthermore, there are conflicting decisions on the correct interpretation of s25 of the Act.

[8] Having considered the submissions of the parties this Court is of the view that there are compelling reasons why leave to appeal to the Supreme Court of Appeal should be granted in that the matter does raise a substantial and important point of law; it is of considerable importance not only to the parties but also to the public at large and the fact that there are conflicting decisions on the correct interpretation of s25 of the Act.”

Kuyasa Mining (Pty) Ltd and Another v Eskom Holdings SOC Limited (02966/2020) [2020] ZAGPJHC 175 (7 August 2020)

“1. The applicants and the respondent are presently parties to an arbitration. The arbitration arises out of the cancellation of a coal supply agreement that had been entered into between them during September 2011. The coal supply agreement persisted until its cancellation in October 2018 by the applicants whereafter the respondent, which disputes the cancellation, referred the matter to arbitration in February 2019. In consequence of the

referral of the dispute to arbitration by the respondent, the applicants then filed, also for determination at the arbitration, a counter claim.

2. The coal supply agreement provided in clause 33 for the referral of any disputes arising from the agreement to arbitration and the parties thereafter proceeded in terms thereof. A pre- arbitration meeting was held in February 2019 at which the parties agreed a timetable and they then proceeded in accordance therewith. In their respective preparations for the arbitration, both parties requested discovery of documents from the other . Each of the parties disputed the entitlement of the other to call for the discovery of the specific documents that they had and this subsequently resulted in the arbitrator hearing applications to compel.

3. On 19 December 2019, the arbitrator delivered a decision in respect of each of the applications to compel. The applicants have accepted and complied with the decision made in respect of the respondent's request for discovery against them and no more need be said about this. The respondent, however, does not accept the decision of the arbitrator and on 17 January 2020 delivered a notice of appeal in respect of that decision.”

International

[California v. Bernhardt](#), No. 4:18-cv-05712 (N.D. Cal. July 15, 2020); [Wyoming v. U.S. Department of the Interior](#), No. 2:16-cv-00285 (D. Wyo. July 21, 2020). [August 2020 Sabin Center for Climate Change Law Update]

“A federal court in California vacated the U.S. Bureau of Land Management’s (BLM’s) 2018 rule repealing most of the 2016 Waste Prevention Rule, finding that the process that resulted in the 2018 rule was “wholly inadequate.” First, the court found that BLM ignored the Mineral Leasing Act’s statutory mandate by adding an “economic limitation” to the interpretation of “waste” and through a “blanket delegation” to state and tribal authority. Second, the court found that BLM did not comply with the Administrative Procedure Act, finding fault with all of BLM’s grounds for the rescission. The court found that BLM did not provide adequate justification for reversing its position that the 2016 rule’s requirements were “economical, cost-effective, and reasonable”; impermissibly relied on President Trump’s Executive Order 13783 in a manner that was inconsistent with statutory mandates; arbitrarily and capriciously used a new “interim domestic” social cost of methane to analyze costs and benefits; arbitrarily ignored the Waste Prevention Rule’s benefits; arbitrarily overstated the administrative burden and failed to explain the “dramatic recalculation” of administrative costs; and arbitrarily and capriciously calculated compliance costs. Third, the court found that BLM did not satisfy its “hard look” obligation under NEPA with respect to impacts on public health (including impacts on tribal communities), impacts on climate, and cumulative climate impacts of BLM’s fossil fuel program. The court further found that BLM erred by not preparing an environmental impact statement. The court stayed its vacatur of the 2018 rule and re-implementation of the 2016 rule for 90 days to allow the parties to determine next steps. Five days later, four states (North Dakota, Texas, Wyoming, and Montana) moved to lift a stay on litigation challenging the 2016 rule in the federal district court for the District of Wyoming. The Wyoming court granted the motion the following day and ordered the parties to propose an expedited merits

briefing schedule premised on completion of briefing by September 4, 2020.”

Board of County Commissioners of Boulder County v. Suncor Energy (U.S.A.) Inc., No. 19-1330 (10th Cir. July 7, 2020). [August 2020 Sabin Center for Climate Change Law Update]

“The Tenth Circuit Court of Appeals affirmed a district court order remanding to Colorado state court a lawsuit brought by Boulder County and two other local governments seeking to hold oil and gas companies liable for climate change-related damages allegedly caused by the companies. The Tenth Circuit determined that its appellate jurisdiction was limited to the issue of federal officer removal. It therefore did not address the five other grounds for removal on which the companies relied in their appeal. The Tenth Circuit also found that ExxonMobil Corporation, one of the companies, failed to establish grounds for federal officer removal. The Tenth Circuit is the third federal appeals court to affirm the remand of a climate change lawsuit brought by local governments (the others are the Fourth and Ninth Circuits).”

O'Donnell v. Commonwealth (Australian Federal Court). [August 2020 Sabin Center for Climate Change Law Update]

“On July 22, 2020, Equity Generation Lawyers filed a lawsuit in the Federal Court on behalf of Kathleen (Katta) O'Donnell against the Australian government. The lawsuit alleges that Australia's economy and reputation in international financial markets will be significantly affected by the adequacy of the Australian government's response to climate change, and that as a result investors who trade in Australian government bonds face material risks from climate change that should be disclosed. The lawsuit further alleges that that government breached its duty of disclosure and misled and deceived investors in failing to disclose such risks.

O'Donnell seeks to represent other holders of and investors in Exchange-traded Australian Government Bonds who have the same interest in the proceeding. She seeks declarations that the Commonwealth has breached the law and an injunction from the Federal Court to prevent further promotion of bonds without informing investors about climate change risks.”

Asociación Civil por la Justicia Ambiental v. Province of Entre Ríos, et al. (Supreme Court of Argentina). [August 2020 Sabin Center for Climate Change Law Update]

“On July 2, 2020 a class action was filed in the Argentinian Supreme Court against the governments of the Province of Entre Ríos and the Municipality of Victoria City in Argentina for their alleged failure to protect environmentally sensitive wetlands. The lawsuit, brought by the groups Asociación Civil por la Justicia Ambiental and Foto Ecologista de Paraná, and a class of children, argues that the Paraná Delta has its own rights. The plaintiffs ask the Court to declare the Paraná Delta a "subject of rights" and an essential ecosystem for mitigating and adapting to climate change; order that the defendants develop and implement an Environmental Territorial Order and Plan to regulate land use in the Paraná Delta, recognizing that the area is at risk due to climate impacts; designate a "guardian" of the rights of the Paraná Delta with the goal of controlling the

conservation and sustainable use of the wetlands; and ensure public participation in future decisions consistent with the Escazú Agreement. The complaint relies primarily on the Argentinian constitution, the Convention on the Rights of the Child, the UNFCCC, the Paris Agreement, General Environmental Law No. 25.675 and Environmental Law to Control Burning Activities No. 23.919. The complaint also references laws in other countries recognizing the rights of nature, rivers, and other non-human entities.”

[Neubauer, et al. v. Germany](#) (Federal Constitutional Court of German). [August 2020 Sabin Center for Climate Change Law Update]

“In February 2020, a group of German youth filed a legal challenge to Germany's Federal Climate Protection Act (“Bundesklimaschutzgesetz” or “KSG”), arguing that the KSG's target of reducing GHGs 55% by 2030 from 1990 levels was insufficient. The complainants further allege that the KSG therefore violates their human rights as protected by the Basic Law, Germany's constitution.

The complaint alleges that the KSG's 2030 target does not take into account Germany's and the EU's obligation under the Paris Agreement to limit global temperature rise to “well below 2 degrees Celsius.” The complainants argue that in order to “do its part” to achieve the Paris Agreement targets, Germany would need to reduce GHGs by 70% from 1990 levels by 2030. Their claims principally arise out of the principle of human dignity allegedly enshrined in Article 1 of the Basic Law; Article 2 of the Basic Law, which protects the right to life and physical integrity; and Article 20a of the Basic Law, which protects the natural foundations of life in responsibility for future generations. Complainants argue that by requiring insufficient GHG cuts and allowing for the transfer of emission allocations, the KSG allows climate impacts that violate these human rights.

The complaint asks the Federal Constitutional Court to declare that the legislature has violated the Basic Law by requiring only a 55% reduction in GHGs by 2030; declare that the legislature is required to issue new reduction quotas to ensure that Germany's emissions are kept as low as possible, taking into account the principle of proportionality; and prohibit the transfer of emissions allocations in the new regulatory regime.”

PUBLICATIONS

National

Lukey Peter and Hall Jenny “Biological Invasion Policy and Legislation Development and Implementation in South Africa” in Van Wilgen E *et al* (eds) [Biological Invasions in South Africa](#) (Springer 2020) 515-551

Cloete J “High Court decision blows the lid off South African mining’s Pandora’s Box” 2020 12 [Without Prejudice](#)

Gibson M “Sustainable lending” 2020 12 [Without Prejudice](#)

Gittens A “Wildlife crime: A case of financial crime” 2020 12 [Without Prejudice](#)

Beech W, Veltman N and Molope K “The effect of Covid-19 on banking and finance practices – a mining and natural resources perspective” 2020 12 [Without Prejudice](#)

International

2020 August [Energy Review](#)

Webb RM “How Agency Science Is Under Threat” 2020 [The Environmental Forum](#) September/October 2020

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas, animal rights and culture**

[eTN](#): Steinmetz JT “World Lion Day: No reason to celebrate in South Africa - Lions shortchanged by South African Law” 9 August 2020

[Science](#): O’Grady C “World’s oldest camp bedding found in South African cave” 13 August 2020

[GroundUp](#): Saunders C “How government is supporting captive lion breeding” 12 August 2020

- **Climate change and energy**

[Lexology](#) ENS: Blumenthal J, Brand J and Anstey D “Sustainable finance and the South African financial services sector” 11 August 2020

[Mining Weekly](#): Ntuli N “Opinion: Unpacking pertinent questions related to municipalities procuring power from IPPs” 14 August 2020

- **Local government**

[GroundUp](#): Nocuze B “Township residents clean their streets after chasing out contractor” 14 August 2020

[GroundUp](#): Damba-Hendrik N “Generous households punished with high water bills” 7 August 2020

[ICLEI](#): “How three urban food gardens are contributing towards social cohesion in South Africa”

- **Mining**

[Mining Weekly](#): Liedtke S “Gold Fields’ South Deep mine addressing gender equality in mining” 11 August 2020

- **Water, waste, oceans and chemicals**

[GroundUp](#): Chiguvare B “They were relocated for the Nandoni dam. 22 years later they have still not been compensated” 13 August 2020

[Daily Maverick](#): Muponde T and Mia N “Protecting water means protecting women” 12 August 2020

Africa

- **Biodiversity, protected areas and culture**

[allAfrica](#): "Tanzania: Five Poachers 'Share' 60-180 Year Jail Term" 8 August 2020 [Legalbrief 10 August 2020]

[The Herald](#): "Possession of ivory lands trio in the dock" 7 August 2020 [Legalbrief 10 August 2020]

[Daily Maverick](#): Global Initiative Against Transnational Organised Crime "Kenya's recent ban on the export of donkey skins to China faces legal challenges" 14 August 2020

[Daily Maverick](#): Pinnock D "African forest plunder condemns chimpanzees to miserable lives in zoos" 14 August 2020

[Daily Maverick](#): Wilson-Spath A "CITES silent as Zimbabwe dooms elephants to living hell in China" 12 August 2020

[allAfrica](#): Harris T "Cameroon: Greenpeace Africa and Rainforest Rescue - Joint Statement Following the Suspension of Logging Plans for Ebo Forest" 13 August 2020

[The Independent](#): Ledger E "A conservation crisis: The aftermath of Gabon's hidden elephant massacre" 15 August 2020

[The Guardian](#): Muiriri P "Plan to fence off Nairobi national park angers Maasai and conservationists" 16 August 2020

- **Climate change and energy**

Thomas Reuters [Foundation](#): Goldsmith B and Accheri C "Flight to the Future: One land's quest to defuse a climate 'timebomb'" August 2020

[Lexology](#): "First-step analysis: the oil market and regulation in Ghana" 29 June 2020

[Mail & Guardian](#): Sam J "EU methane emissions policies will affect Africa's energy transition" 9 August 2020

- **Local government**

Thomas Reuters [Foundation](#): Langat W "Facing COVID-19 and climate threats, Nairobi ramps up green efforts" 14 August 2020

Thomas Reuters [Foundation](#): Farouk MA "Cautious hopes for slum dwellers relocated in Egypt housing project" 14 August 2020

- **Mining**

[Extractives Baraza](#): "Court Blocks Renewal of EPRA Boss Tenure" [Kenya] 12 August 2020

[Extractives Baraza](#): "EMA Shuts Down Four Gold Mines for Operating Without EIA Papers" 11 August 2020

[allAfrica](#): “Uganda: Sweeping Illegal Sand Mining Under the Rug in Uganda” 10 August 2020

- **Water, Oceans, waste and chemicals**

[Extractives Baraza](#): “Mauritius Declares ‘State of Environmental Emergency’ as Damaged Bulker Could Break” 12 August 2020

[Lexology](#): ENS “Can our environmental laws protect our marine ecosystem from oil spills?” 7 August 2020

[Mail & Guardian](#): Jahajeeah DJ and Auerbach DJ “Mauritius weeps as the island is surrounded by oil” 12 August 2020

[The Conversation](#): Daudi L “Kenya’s coast is losing huge amounts of seagrass. But all isn’t lost” 10 August 2020

[BBC](#): “Rising water levels in Kenya’s Great Rift Valley threaten jobs and wildlife” 16 August 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: “EU, African Countries Advance Negotiations on Economic Partnership” 11 August 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Natural Justice](#): “Launch of Living [Convention](#): Compendium of international laws for Indigenous peoples and local communities “ 9 August 2020

[Science](#): Stokstad E “The pandemic stilled human activity. What did this ‘anthropause’ mean for wildlife?” 13 August 2020

[Nature](#): Thompson B and Bundell S “The chemical that turns locusts from Jekyll into Hyde Triggering swarming behaviour in locusts, and new insights into how humans synchronize” 12 August 2020

[Science](#): Barath H ‘Its body looked like a warzone.’ Air pollution could kill off critical honey bees in India” 10 August 2020

[Lexology](#): “Proposed rule defines “habitat” under the Endangered Species Act” [USA] 12 August 2020

[Lexology](#): “Court Reignites Migratory Bird Treaty Act Question” [USA] 12 August 2020

[Lexology](#): “State of Play: Environment Protection and Biodiversity in Australia” 10 August 2020

[Lexology](#): “Resource authority holders not liable for pre-existing conditions” [Australia] 6 August 2020

[INECE](#): “Legal Amazon, Sustainable Use and Environmental Surveillance “Systems”: Historical Legacy and Future Prospects” 4 August 2020

[Nature](#): Bowman D *et al* “Wildfires: Australia needs national monitoring agency” 12 August 2020

Thomas Reuters [Foundation](#): Moloney A “Deforestation in Brazil's Amazon two-thirds lower on titled indigenous land” 10 August 2020

[IISD](#) SDG Knowledge Hub: Campbell JY “To Build Back Better, We Must Include Indigenous Peoples” 9 August 2020

[The Conversation](#): Massarella K and Asiyanbi A “Models aren’t a panacea for saving the environment: hard lessons from REDD+” 13 August 2020

[The Conversation](#): “These African World Heritage Sites are under threat from climate change” 13 August 2020

[The Independent](#): Boyle L “Hotter climate drove extinction of woolly rhinos, not humans, study finds” 14 August 2020

[The Independent](#): Cockburn H “Vast European ‘supertrawlers’ use in UK marine protected areas up by over 1,000% in three years” 14 August 2020

- **Climate change and energy**

Sabin Centre for Climate Change Law: [Climate Recommendations For a New Democratic President and a New Congress: A Compilation](#) collects, indexes and links to all the recommendations we've found for what a Biden/Harris administration and a new Congress can and should do on climate change and related matters.

Sabin Centre for Climate Change Law: [The New York State Climate Law Tracker](#) shows all the statutory deadlines in several New York State statutes

Sabin Centre for Climate Change Law: [Compilation of Recommendations to Reduce Greenhouse Gas Emissions in New York State](#). It compiles and links to the many recommendations that have been issued over the last decade for reducing GHG emissions in the state, and organizes them by topic.

[Lexology](#): “Spotlight: climate change law, regulation and policy in European Union” 27 February 2020

[Lexology](#): “Landmark Supreme Court Environmental Judgment Quashes the National Mitigation Plan” [Ireland] 12 August 2020

[Lexology](#): “Australian Government sued over failure to disclose and manage climate risks” 11 August 2020

IAIA's Full Climate Change Position Statement: [English Version](#) [IAIASa 2020/2021 News | 12 August 2020]

Thomas Reuters [Foundation](#): “‘Canary in the coal mine’: Greenland ice has shrunk beyond return, study finds” 14 August 2020

[ICLEI](#): “Racial justice is part of climate justice” 7 August 2020

[IISD](#) SDG Knowledge Hub: “UNFCCC Papers Highlight Technologies Supporting Low-Carbon Transition” 11 August 2020 [provided by Andrew Gilder ClimateLegal]

[IISD](#) SDG Knowledge Hub: “Pandemic Lessons: Open Data for Forest and Climate Action” 11 August 2020

[Sabin Centre](#) for Climate Change Law: Climate Change Law Tracker

Sabin Centre Climate Law [Blog](#): Wilson A “Climate Change and COVID-19: The Denial Playbook Is the Same” 30 July 2020

Sabin Centre Climate Law [Blog](#): Biniaz S “Reversing the Paris Reversal ... And More” 28 July 2020

Sabin Centre Climate Law [Blog](#): Aidun H “Renewable Energy Legal Defense Initiative Files Comments on Behalf of Local Group in Support of Offshore Wind” 27 July 2020

[Lexology](#): “Spotlight: climate change law, regulation and policy in Chile” 27 February 2020

[The Independent](#): “Faster than floods: How to prevent a double disaster in Bangladesh” 16 August 2020

[The Independent](#): Cockburn H “Climate crisis: Wind and solar produce record 10% of world’s electricity, but scientists warn faster change is needed” 14 August 2020

[Lexology](#): “What should a hydrogen certification and guarantee of origin scheme look like in Australia?” 11 August 2020

- **Environmental enforcement**

[New York](#) State Department of Environment: “Proposed, Emergency, and Recently Adopted Regulations”

[Environmental Protection Network](#) (EPN) : [Resetting the Course of EPA - report](#)

[IAIA](#): The Impact of COVID-19 on Impact Assessment: An Initial Rapid Review (August 2020)

[Lexology](#): “Aviation - A Brighter Tomorrow: Avoid crippling aviation as climate change confrontations increase” 10 August 2020

[Lexology](#): “D.C. Circuit Holds that EPA Does Not Need to Consider Mitigation in NPL Decision” [USA] 10 August 2020

- **Local government**

[Vox](#): Roberts D “Air pollution is much worse than we thought” 12 August 2020

[Lexology](#): “Changing climate, changing duties: Shifting board liability and disclosure issues around climate change” 11 August 2020

[Wbur](#): Young R and Hagan A “No, The COVID-19 Pandemic Is Not Saving The Environment” 18 June 2020

Thomas Reuters [Foundation](#): “Slumscales” (August 2020)

[ICLEI](#): “Moving from theory to action: how mainstreaming gender equality builds resilient cities” July 2020

[ICLEI](#) City Talk: “Building green and inclusive cities” 10 August 2020

[ICLEI](#): “Five cities shift from industry to equity” 10 August 2020

Sabin Centre Climate Law [Blog](#): Turner A “Municipal Natural Gas Bans: Round 2 (The Evolution of State Preemption Law)” 29 July 2020

- **Mining**

[Extractives Baraza](#): “Oil Companies Start to Take Back Crude from US Emergency Reserve” 11 August 2020

[Extractives Baraza](#): “Peru Unrest Flares as Pandemic Second Wave Hits” 11 August 2020

[Extractives Baraza](#): “Investors Call for Greater Rio Accountability Over Destroyed Ancient Caves” 11 August 2020

[Lexology](#): “NSW Water Regulator flexes its muscles: prosecution launched against Whitehaven’s mining oper” [Australia] 12 August 2020

[UNEP](#): “New Global Industry Standard on Tailings Management aims to improve the safety of tailings facilities in the mining industry” 5 August 2020

[Lexology](#): “What Will the Election Mean for Hydraulic Fracturing?” [USA] 6 August 2020

- **Water, oceans, waste and chemicals**

[Nature](#): Guglielmi G “Why Beirut’s ammonium nitrate blast was so devastating” 10 August 2020

[Lexology](#): “Judge Suggests New TSCA Section 21 Petition Be Filed Regarding Fluoride in Drinking Water” 11 August 2020

[Lexology](#): “EPA Publishes MON RTR, But Delays Responding to Comments on Its Controversial Risk Assessment for Ethylene Oxide” [USA] 12 August 2020

[Basel Convention](#): Highlights of the first part of the Fourteenth meeting of the Basel Convention Implementation and Compliance Committee (ICC-14)

[IISD](#) SDG Knowledge Hub: “Experts Emphasize Private Sector’s Role in Combating Marine Litter” 11 August 2020

[BBC](#): Keegan M “The world's growing concrete coasts” 12 August 2020

[BBC](#): “Campaigners win fight to stop Maldives islands becoming luxury resort” 16 August 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club: Session #4: Our Sand "Santa ya Rena"

Date: Tuesday, 25 August 2020

Time: 19:00 discussion

25 August 2020 @ 18:30 On 25 August, from 18:30, we will be watching the documentary Our Sand, by Keletso Malepe We hope you watch it too (on YouTube), and join us at 19:00 for a Zoom discussion, looking at the devastating impacts of sand mining and obstacles to effective community environmental activism. Keep an eye on the event page for guest experts. Zoom link will also be posted there on 25 August.

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: during the week of 1-5 September 2020

Place: Virtual

More information and programme will be posted on Facebook and Website

Please note AGM will move at a time during the ELA Conference – updates will follow

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19 – Call for papers

Date: 7-8 September 2020

Place: Virtual

More information and programme will be posted on Facebook and the Website.

Karoo Regional Spatial Development Framework Colloquium 1 Theme: Planning Law and Regional Planning

Speakers: Prof Mark Oranje and Prof Jeannie van Wyk

Date: 21 August 2020

Time: 10H00 – 12H00

Platform: Microsoft [Teams](#)

EAPASA Question & Answer Session

Date: 20 August 2020

[Connection](#)

More [information](#)

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- **Pretoria**

Date: 29 September to 1 October 2020

Venue: Oppiehoek Guesthouse, corner of Malan and Blake Street, Riviera Pretoria.

The cut-off date for Early Bird discounts is 18 August 2020, the last date for Registration is 8 September 2020),

- **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenview Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

SBE 2021: Sustainable Built Environments: Virtual Conference and Hands-on Building Course

Dates: 16 - 24 February 2021

More [information](#)

SAEEC: Introduction to Energy Management and/or preparation towards your AEE International Certification and Examination

Dates: Fridays, one day a week, over 6 weeks:

21 August: Energy Basics; 28 August: Energy Conversion; 4 September: Thermal Energy; 11 September: Electrical Energy; 18 September: Mechanical Energy; 25 September: Energy Management

More information and [booking](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

Water Research Commission: Stakeholder Engagement Workshop - Wrc Corporate Plan Development 2021/26

Date: 10 September 2020

Time: 10:00 AM

The Water Research Commission (WRC) cordially invites stakeholders to attend the WRC Corporate Plan Development session looking at the upcoming five-year cycle 2021/26. 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 Human Settlements, Water and Sanitation. This process is conducted to develop the Corporate Plan which is

characterised by important elements. 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.

You are invited to a Zoom meeting. Register in advance for this meeting: [Click here to register](#)

Water Research Commission: Upcoming webinars for August-September 2020

- [Water, Sanitation and Hygiene \(WASH\) and COVID-19: IORA Member States response to COVID-19 and Beyond](#)
Date: 31 August 2020
[Registration](#)
- [Dialogue: Are water services affordable in South Africa?](#)
Date: 1 September 2020
[Registration](#)
- [Dialogue: Water Quality threatens Eco-Tourism: Save our Heritage](#)
Date: 22 September 2020
[Registration](#)

International

IUCN Webinar Series: Transboundary Water Governance for Water Security

- [Seminar 1: Introduction to Water Governance](#)
Date: 19 August 2020
Time: 15:00 – 16:30 SAST/9:00 – 10:30 EDT
- [Seminar 2: International Water Law and Governance](#)
Date: 26 August 2020
Time: 15:00 – 16:30 SAST/9:00 – 10:30 EDT
- [Seminar 3: Benefit-sharing and Water Governance](#)
Date: 2 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT
- [Seminar 4: Hydrodiplomacy](#)
Date: 9 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT
- [Seminar 5: Water Governance in Southern Africa](#)
Date: 16 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT: 15pm SAT
- [Seminar 6: Transboundary Water Governance: Case Studies](#)
Date: 23 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT
- [Seminar 7: Transboundary Water Governance Panel](#)
Date: 30 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT

Registration and more information [here](#)

International Renewable Energy Agency (IRENA) Webinar: Reaching zero with renewables in transport and industry

Date: Tuesday, 18 August 2020, at 15:00 CEST

To register: [Click Here](#)

IAIA Free Webinar: ESG: What is it, why is it important and how does it relate to impact assessment?

Date: 20 August 2020

TIME: 5PM EDT, 22:00 BST, 7AM AEST 23:00 Friday, in South Africa

More [information](#)

Green Industrial Policy: Promoting Competitiveness and Structural Transformation: A new course by the Partnership for Action on Green Economy (PAGE)

Enrol [here](#)

Lecturers have free access to the materials – For more information, please contact [Colm Hastings](#)

WRC - BioAfrica Convention: Invitation to participate in the Water, Sanitation and Hygiene (WASH) and COVID-19: Africa's response to COVID-19 and Beyond

Date: 26 August 2020 at 09:30 to 10:30 [BioAfrica Convention will take on 24 to 26 August 2020]

Register for the event in the [link](#) herein or [here](#). The, more information can be found in the [link](#).

IAIA21: "Smartening Impact Assessment in Challenging Times -Abstract submissions open 24 August

Date: 18-21 May 2021

Place: Seville, Spain

Papers and posters from IAIA20 will be carried over, but we will also be accepting new presentations to replace those that have had to withdraw. Paper and poster abstract submissions will open 24 August.

IAIA: Virtual symposium: Our Interconnected World

Date: 5-8 October 2020

More [information](#) and [registration](#)

NEWS

National

- **Biodiversity**

"Jane Goodall backs Betty's Bay group's fight against council 'paint balling, euthanising' baboons" [News24](#) 12 August 2020

Grobler R "Pics | Elephant freed of tyre 'necklace' in North West reserve" [News24](#) 15 August 2020

Singh K "Six alleged pangolin dealers arrested in Midrand" [News24](#) 15 August 2020

- **Climate change and energy**

Omarjee L “Eskom's De Ruyter: We are not climate change denialists” [fin24](#) 11 August 2020

Magubane K “State research institute warns 2020 could be worst year yet for load shedding” [fin24](#) 13 August 2020

Seleka N “City Power loses about R2bn due to illegal connections and non-technical issues” [News24](#) 13 August 2020

Singh K “Farmer who tampered with Eskom electricity meter has to pay back R750 000” [News24](#) 15 August 2020

“South Africans have a right to know government's nuclear plans” [Bizcommunity](#) 14 August 2020

- **Local government**

Creamer T “DMRE calls for engagement over litigation following IPP judgment” [Engineering News](#) 13 August 2020

“Municipalities’ efforts to procure clean, affordable and reliable electricity dealt a court blow” [Centre for Environmental Rights](#) 12 August 2020

- **Mining**

McCain N “14 alleged zama-zamas arrested in R15m illegal mining bust in Limpopo” [News24](#) 15 August 2020

Liedtke S “Proposed mining tax amendments could have far reaching, unintended consequences, says firm” [Mining Weekly](#) 14 August 2020

Bulbulia T “DMRE says Mantashe's withdrawal of appeal paves the way for certainty” [Mining Weekly](#) 13 August 2020

Liedtke S “SANEDI, MDA work together to support South African mineworkers” [Engineering News](#) 13 August 2020

- **Water, oceans, waste and chemicals**

Yarwood IO “Review of nine African 'blue economy' projects shows what works and what doesn't” [Bizcommunity](#) 12 August 2020

Odendaal N “Water for All provides borehole in Mathabatha” [Mining Weekly](#) 14 August 2020

“Protecting water means protecting women” [Centre for Environmental Rights](#) 13 August 2020

Appeal over Makana landfill site condition fails

“The Eastern Cape High Court (Makhanda) has dismissed an application from Makana mayor Mzukisi Mpahlwa and administration boss Moppo Mene for leave to appeal a ruling that they wilfully ignored a court order to improve catastrophic management of the municipal landfill site. A Daily Dispatch report says in a scathing judgment in early March, Judge Mickey Mfenyana sentenced Mpahlwa and Mene to six months’ imprisonment for contempt of court. She said this would be wholly

suspended provided that within 30 working days they met each and every requirement imposed on them by a 2015 judgment to improve the landfill site. If they failed to do so, she said they would have to personally come to court to explain why they should not go directly to jail. Instead the municipality sought leave to appeal the judgment. However, Mfenyana ruled yesterday there were no prospects of success on appeal and dismissed the application. The two men had argued that Mfenyana had been incorrect in finding the municipality had failed to gainsay photographic and other evidence that suggested the landfill site was every bit as bad as it had been prior to a 2015 judgment. That judgment had ordered them to bring the stinking, burning, unsightly landfill site into line with the requirements of the Constitution, environmental legislation and the conditions of the permit in terms of which the municipality runs the site. Mfenyana said the municipality's claim that they had complied with the order was not borne out by the evidence."

Full Daily Dispatch report (subscription needed) Legalbrief 14 August 2020

International

- **Biodiversity, protected areas, animal rights and culture**

"Tree planting can help tropical forests 'recover 50% faster' from logging" [CarbonBrief](#) 13 August 2020

"Global warming makes tropical soils leak CO₂: study" [france24](#) 12 August 2020

"Court Overturns Trump Administration Policy That Sharply Curtailed Protections for Migratory Birds" [NRDC](#) 11 August 2020 – also read [The Jurist](#)

Russel S "Lockdown sees 'most successful breeding year in decades' for marsh harriers at Cambridge nature reserve" [The Independent](#) 15 August 2020

"US allows killing of hundreds of sea lions to save struggling salmon" [The Guardian](#) 15 August 2020

Readfearn G "Land of the lizards: Victoria's East Gippsland was a refuge for threatened reptiles. The fires changed that" [The Guardian](#) 15 August 2020

Ratner B "Kenya elephant numbers more than double in 1980-2018: tourism minister" [Reuters](#) 12 August 2020

"Cameroon cancels logging plan that threatened rare apes" [Reuters](#) 12 August 2020

- **Climate change and energy**

Hill M and Nhamire B "Islamic state-linked fighters seize key Mozambique LNG port town" [News24](#) 13 August 2020

"Spain confirms closure of additional 1.2 GW of coal capacity through 2022" [Carbon Pulse](#) 14 August 2020

Desai P and Shabalala Z "London Metal Exchange plans low carbon aluminium platform" [Reuters](#) 13 August 2020

"Most of UN climate science report likely to be delayed beyond 2021 Glasgow summit" [Climate Home News](#) 13 August 2020

Harvey F “Trump exiting Paris accord will harm US economy – LSE research” [The Guardian](#) 14 August 2020

Toscana N “BHP puts powerful lobby groups on notice over climate change” [Sydney Morning Herald](#) 14 August 2020

“RWE wants contracts for difference (CfDs) to spur German offshore wind” [London South East](#) 13 August 2020

“Wisconsin agency says waste facility caused violations at ARB-registered offset project” [Carbon Pulse](#) 12 August 2020

Onstad E “Aluminium sector struggles to adopt common standards to cut emissions” [Reuters](#) 12 August 2020

“Switzerland's RAM Active Investments launches climate-change fund” [Reuters](#) 12 August 2020

Payne T “Rail chiefs call for rises in road tax and aviation fuel levy to slash carbon emissions and encourage more people to travel by train” [UK] [MailOnline](#) 12 August 2020

“93GW of additional solutions for cross-border electricity exchange needed by 2040 to achieve the EU Green Deal” [entsoe](#) 10 August 2020

Gan N “Beer unsold during Australia's coronavirus lockdown has been turned into renewable energy” [CNN](#) 12 August 2020

Jessop S “Investors launch climate plan to get to net zero emissions by 2050” [Reuters](#) 5 August 2020

Merino D “The first undeniable climate change deaths” [Mail & Guardian](#) 14 August 2020

Marcotta M “EPA administrator announces rollback of Obama-era energy regulations” [The Jurist](#) 14 August 2020

Kumar A “Sandwiched between COVID and Economic Sanctions: Is India's Renewable Energy on the Right Track?” [The Jurist](#) 10 August 2020

Murphy K “Australia asks UN to dismiss Torres Strait Islanders' claim climate change affects their human rights” [The Guardian](#) 13 August 2020

Garrison C “‘Canary in the coal mine’: Greenland ice has shrunk beyond return, study finds” [Reuters](#) 15 August 2020

“New York state releases proposed regulations to battle climate change” [Reuters](#) 14 August 2020

Wettengel J “Germany set to reach original 2020 climate target due to pandemic – researchers” [Clean Energy Wire](#) 14 August 2020

- **Environmental enforcement**

Cox L “Australia's environmental protection laws should mention climate change, government told” [The Guardian](#) 15 August 2020

- **Local government**

Harvey F “UK infrastructure inadequate for climate emergency, experts warn” [The Guardian](#) 15 August 2020

- **Mining**

Maas C “Federal appeals court prevents oil companies from moving Louisiana coastal wetlands lawsuits to federal court” [The Jurist](#) 11 August 2020

Morton A “Decision on \$3.6bn Narrabri coal seam gas development delayed after late submission from Santos” [The Guardian](#) 14 August 2020

Ambrose J “Seven top oil firms downgrade assets by \$87bn in nine months” [The Guardian](#) 14 August 2020

“Indigenous groups push to shut down lithium miner SQM” [Mining Weekly](#) 15 August 2020

Webb M “Pebble owners support call for IG review of Army Corps permitting” [Mining Weekly](#) 14 August 2020

“BHP to steer mining lobby groups' climate change policies” [Reuters](#) 14 August 2020

Green M, Valencia A and Jessop S “Exclusive: European banks face indigenous calls to end Amazon oil trade” [Reuters](#) 12 August 2020

- **Water, waste, oceans and chemicals**

Murray JS “Zero emission developers set course for Scottish shipbuilding revival” [Business Green](#) 14 August 2020

Cox L “NSW has failed to properly assess impact on wildlife of Warragamba dam changes, federal government says” [The Guardian](#) 14 August 2020

Wood T “Drying Brandenburg lake is symbol of climate change, say scientists” [Reuters](#) 14 August 2020

“Venezuela environment groups say they are barred from joining oil spill cleanup” [Reuters](#) 13 August 2020

- **Miscellaneous**

Maas C “Nagasaki urges nuclear weapons ban on 75th anniversary of atomic bomb” [The Jurist](#) 10 August 2020

Stempel J “Lawyer who took on Chevron in Ecuador is disbarred in New York” [Reuters](#) 14 August 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

University of the Free State: Senior Lecturer / Associate Professor / Professor in Private law

Closing date: 24 August 2020

More [information](#)

Pearson: Part time Law Lecturer

Closing date: 17 August 2020

More [information](#)

University of the Free State: Post-doctoral research fellow: Public law

Closing date: 11 September 2020

More [information](#)

Nelson Mandela University: Lecturer Criminal and Procedural law

Closing date:

More information

Central University of Technology, Free State: Senior Director: Legal Services

Closing date: 28 August 2020

More [information](#)

The Water Research Commission (WRC), Department of Science and Innovation (DSI) funded innovation platforms, namely the Water Technologies Demonstration Programme (WADER) and South African Sanitation Technology Enterprise Programme (SASTEP) provide funds for the demonstration of various technologies that are appropriate for the water and sanitation sector

The purpose of the field-testing and demonstration is to evaluate and validate the functionality, performance, and user acceptance of the innovation. To ensure the accuracy and veracity of the outcome, independent technology evaluators are required to assess these criteria during the field-testing and demonstration period. The evaluation/validation reports are usually not published but shared with the innovators so that they can improve their product or service and only shared with the test site partner or other public sector partner if requested and in confidentiality.

More [information](#)

To apply, please complete the attached [Water and Sanitation Technology evaluation Form](#).

All application must be submitted electronically before COB August 31, 2020 to Mrs. [Sarah Ravhudzulo](#)

Any technical queries should be directed to either the WADER Programme Manager, Dr [Manjusha Sunil](#) or the SASTEP Programme Manager, Mr. [Akinsete](#).

International

[Research Fellow in Law](#)

University of New South Wales

[PhD Scholarship in Law](#)

Monash University Faculty of Law

[Researcher in International and EU Tax Law](#)

Catholic University of Leuven Institute of Tax Law

[Doctoral Fellow in Criminology, Criminal Law and Social Law](#)

Ghent University Department of Criminology, Criminal Law and Social Law

[Professorship of International Law](#)

Friedrich Schiller University of Jena Faculty of Law

[Assistant Professor of Law and Economics](#)

University of Bonn Faculty of Law and Economics

[Assistant / Associate Professor of Global Food Systems Sustainability](#)

Wageningen University

[Assistant Professor of Law and Technology](#)

VU University of Amsterdam Faculty of Law

[Assistant Professor of Law and Economics](#)

Utrecht University School of Economics

[Postdoctoral in Socio-Legal Research Scientist at IViR](#)

University of Amsterdam Amsterdam Law School – Institute for Information Law

[Research Fellow in Political Philosophy or Legal Theory on the Legitimacy of International Courts](#)

University of Oslo

[Assistant Professor of Law](#)

Singapore Management University School of Law

[Researcher in Social Resilience and Adaptation to Climate Change](#)

Lund University Lund University Centre for Sustainability Studies

[Teaching Associate in Law](#)

University of Nottingham Department of Law

[Assistant Professor of Law](#)

University of California Los Angeles School of Law

[Professor of Climate Equity and Environmental Justice](#)

University of California Berkeley College of Natural Resources

[Postdoctoral Scholar in Civil Rights](#)

University of California Los Angeles

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.



A Public Benefit Organisation



ELA NEWSLETTER 34

21 August 2020

Level 2 Lockdown

Remember the precautionary principle – the virus is still with us!

Keep safe and rather keep contact via Facebook, the website, upcoming e-Conferences and our monthly ELA Streaming Club.

POLICY

National Climate Change Adaptation Strategy Republic of South Africa [Version UE10](#) 13 November 2019 ([approved](#) 18 August 2020) [IAIAsa 2020/2021 News | 21 August 2020]

ACTS

Adjustments Appropriation Act 11 of 2020 - GG 43624 of 18 August 2020 – commenced 18 August 2020

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN 895 in GG 43629 of 20 August 2020 - Sea Ports Directions, 2020 published in GN 496 in GG 43275 of 4 May 2020 amended

NOTICES

Disaster Management Act 57 of 2002 - GN 891 in GG 43620 of 17 August 2020 - Determination of Alert Level 2 and regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended with effect from 18 August 2020

Statistics South Africa – Gen Notice 445 in GG 43632 of 21 August 2020 - Consumer Price Index, Rate (Base Dec 2017 = 100): May 2020: 2.1 and June 2020: 2.2

Skills Development Act 97 of 1998 - GN 892 in GG 43621 of 17 August 2020 - Draft National List of Occupations in High Demand: 2020 - for comment

National Environmental Management Act 107 of 1998 - GN 906 in GG 43632 of 21 August 2020 - Section 24H Registration Authority Regulations, 2016 published in GN 849 in GG 40154 of 22 July 2016 amended

National Environmental Management: Protected Areas Act 57 of 2003 - GN 890 in GG 43618 of 17 August 2020 - Draft amendments to the Aliwal Shoal Marine Protected Area Regulations published in GN R781 in GG 42479 of 23 May 2019 - for comment

PROVINCES

Limpopo

Local Government: Municipal Systems Act 32 of 2000 - LAN 80 in PG 3095 of 21 August 2020 - Lephalale Local Municipality - NERSA approved electricity tariffs

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 - MN 68 in PG 2204 of 20 August 2020 - uMzinga Local Municipality - Intention to appoint members to the Municipal [Planning] Tribunal [MPT]

Western Cape

Western Cape Land Use Planning Act 3 of 2014 - PN 84 in PG 8310 of 18 August 2020 - Department of Environmental Affairs and Development Planning - Authorisation to deviate from provisions of s. 44(2)(b) of the Act

CASES

National

Phokwane Local Municipality and Another v Mojaki and Another (487/2020) [2020] [ZANCHC](#) 54 (21 August 2020)
Administrator – locus standi - provision of water services – financial mismanagement

Ellaurie v Madrasah Taleemuddeen Islamic Institute and Another (3848/2019) [2020] [ZAKZDHC](#) 32 (21 August 2020)
'Nuisance' – Call for Prayers – religious exclusion – s 15 of the Constitution – freedom of religion

PUBLICATIONS

National

Omidire Kolapo "Access to courts by vulnerable persons in relation to hydraulic fracturing in South Africa" 2020 *Commonwealth Law Bulletin* DOI: 10.1080/03050718.2020.1795898

Fuo Oliver “The Role of Local Governments in providing Social Protection in the Context of the United Nations Sustainable Development Goals: The Position of South African Municipalities” 2019 6(4) [African Journal of Democracy & Governance](#) 113-136

International

Burns W and Corbett CR “Antacids for the Sea? Artificial Ocean Alkalinization and Climate Change” 2020 *One Earth* DOI: <https://doi.org/10.1016/j.oneear.2020.07.016>

Kaufman, N., Barron, A.R., Krawczyk, W. *et al.* A near-term to net zero alternative to the social cost of carbon for setting carbon prices. *Nat. Clim. Chang.* (2020). <https://doi.org/10.1038/s41558-020-0880-3>

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Lexology](#): ENS “The future of energy production in South Africa” 11 August 2020

- **Environmental enforcement**

[PMG](#): Committee Workshop on legislation & policy in Environment, Forestry and Fisheries portfolio day 1 – 18 August 2020 [provided by Anél du Plessis CLES, NWU]

- **Local government**

[Mail & Guardian](#): Tshazi QN “Why a blanket approach to redressing spatial inequity is flawed” 19 August 2020

- **Mining**

[Lexology](#): Baker McKenzie “South Africa: Contract Miners Beware - Proposed Tax Amendments to Have Far-reaching Impact on Industry” 14 August 2020

[Extractives Baraza](#): Githathu W “Oil and Gas Drilling Rig off Cape Town Coast Sparks Pollution Fears” 19 August 2020

[Daily Maverick](#): Bloom K “The missing R617-million: Can the Bapo Ba Mogale retrieve their stolen funds?” 21 August 2020

- **Water, waste, oceans and chemicals**

CSIR: A complete collection of the Freshwater / Inland Aquatic component data, publications and reports resulting from the National Biodiversity Assessment of 2018 (NBA 2018) is available at this [link](#). This includes the South African Inventory of Inland Aquatic Ecosystems (SAIIAE) geodatabase in which the National Wetland Map version 5 (NWM5) and artificial wetlands layers are included.

[Mail & Guardian](#): Harper P “Shongweni stink: EnviroServ bosses back in court” 5 August 2020

[Daily Maverick](#): Yeld J “The water Guy: A conservationist who cast an indelible mark on our environment” 19 August 2020

- **Miscellaneous**

[amaBhungane](#): Thakur C “Advocacy comment: Beneficial ownership disclosure is indispensable in the fight against procurement ‘hyenas’” 21 August 2020

[Mail & Guardian](#): Mathe T “Government kickstarts the National Infrastructure Fund” 17 August 2020

[Daily Maverick](#): Cock J “We need a new system of politics that reclaims the best of environmentalism, feminism and socialism” 19 August 2020

Africa

- **Biodiversity, protected areas and culture**

[TimesLive](#): Nyaungwa N “Namibians warned against ‘false claim’ that elephant dung can cure Covid-19” 19 August 2020

[Daily Maverick](#): Clark C and Swingler S “Murky Waters: Inside Congo’s Shark Trade (Video)” 19 August 2020

[BusinessLive](#): Prentice A “Artisanal fishers threaten marine life in Congo but they say they have no choice” 18 August 2020

[AllAfrica](#): “Congo-Kinshasa: Gangs Kidnap, Rape in National Park” 30 July 2020

- **Climate change and energy**

[Thomas Reuters Foundation](#): Langat W “Facing COVID-19 and climate threats, Nairobi ramps up green efforts” 14 August 2020

[Extractives Baraza](#): Mugisha R “Investment in Clean Energy is both Strategic and Safe for Africa’s Future” 18 August 2020

[Mail & Guardian](#): Sam J “EU methane emissions policies will affect Africa’s energy transition” 9 August 2020

- **Environmental enforcement**

[allAfrica](#): Schwikowski M “Africa: How Environmental Courts Can Help Africa” 13 August 2020

- **Local government**

[Thomas Reuters Foundation](#): Farouk MA “Cautious hopes for slum dwellers relocated in Egypt housing project” 14 August 2020

- **Mining**

[allAfrica](#): Adaramola Z “Nigeria: Ministry to Present Oil Reform Bill to Buhari – Sources” 19 August 2020

[Extractives Baraza](#): “Tanzania Mining Sector Reforms Earn Tanzania Over 500bn” 18 August 2020

[Extractives Baraza](#): “DRC to Tighten Controls Over Miners for Currency Repatriation” 19 August 2020

[Extractives Baraza](#): Meredith S “Turkey’s Pursuit of Contested Oil and Gas Reserves has Ramifications ‘well beyond’ the Region” 19 August 2020

[Makanday](#): “Zambia losing its natural heritage to corporate greed” 12 August 2020

[BusinessLive](#): Inveen C “Sierra Leone court freezes Steinmetz’s Ocea assets over environmental damage” 19 August 2020

- **Water, Oceans, waste and chemicals**

[Lexology](#): Ngowi D “Is the East African Community a Model for Plastics Pollution Strategy?” 17 August 2020

[Daily Maverick](#): Lipchin Clive and Solomon Hussein “Water wars will increasingly fuel African and Middle East conflicts” 21 August 2020

- **Miscellaneous**

[Lexology](#): DLA Piper “ESG in 2020: What African resources-developers should do to prepare” 21 August 2020

[IISD](#) SDG Knowledge Hub: “Africa Leads the Way: Working Across the SDGs for Health Equity” 18 August 2020

[Mail & Guardian](#): Kerubo J “They came for the American Dream, but the land was still beckoning” 22 August 2020

[Mail & Guardian](#): Moore WG “A new Cold War is coming. Africa should not pick sides” 21 August 2020

[Daily Maverick](#): Moll I “The first three industrial revolutions stripped Africa bare – it’s hard to see why the fourth would be any different” 20 August 2020

[Daily Maverick](#): Du Plessis C “Cherie Blair’s investigation clears Ian Khama and Bridgette Motsepe of wrongdoing, scolds Botswana government” 20 August 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Science](#): Pennisi E “Australia’s biggest bats fly thousands of kilometers a year—farther than wildebeest and caribou” 20 August 2020

[Science](#): Malakoff D, Desai N and Xing Liu “Five charts that will change everything you know about mud” 21 August 2020

[Lexology](#): “Environmental Groups Allege EPA Failed to Engage in Endangered Species Act Consultation Before Implementing COVID-19 Enforcement Discretion Policy” 19 August 2020

[Lexology](#): “Is To Kill a Mockingbird good authority? Federal Court Sets Aside Administration’s Interpretation of the Migratory Bird Treaty Act” 19 August 2020

[Thomas Reuters Foundation](#): Zuker F “Indigenous land intrusions help drive higher virus death toll in the Amazon” 14 August 2020

[IISD](#) SDG Knowledge Hub: “Biodiversity Negotiations Should Account for COVID-19 and Ensure Equity” 18 August 2020

- **Climate change and energy**

[Science](#): Perkins S “Surprising pulses of ancient warming found in Antarctic ice samples” 20 August 2020

[Lexology](#): “Claim against Commonwealth Government highlights climate-related corporate governance risks” 18 August 2020

[Nature](#): Tollefson J “The hard truths of climate change — by the numbers” 18 September 2019

[Lexology](#): “Spotlight: climate change law, regulation and policy in Italy” 27 February 2020

[Climate Action](#): Figueira JS “UNFCCC calls on countries to submit Paris Agreement plans ahead of COP26” 18 August 2020

- **Environmental enforcement**

[Lexology](#): “Significant reforms to the Environmental Assessment Act reshape environmental review in Ontario” 17 August 2020

[Lexology](#): “Amicus Briefing Suggests Citizen Suits Are Unconstitutional” [USA] 17 August 2020

- **Local government**

[Thomas Reuters Foundation](#): Chandran R “Coronavirus speeds up push for congestion charge in cities” 17 August 2020

[Thomas Reuters Foundation](#): Rajendran K “Indian solar ferry flies flag for cleaner, cheaper water transport” 13 August 2020

[Lexology](#): “NSW Government zooming ahead with new ‘affordable housing’ and infrastructure development levies” 17 August 2020

- **Mining**

[Lexology](#): “Future mining projects in NSW will happen (with restrictions) under new Strategic Statement” 6 August 2020

[The Conversation](#): De Santo EM, Mendenhall E and Nyman E “A rush is on to mine the deep seabed, with effects on ocean life that aren’t well understood” 21 August 2020

- **Water, oceans, waste and chemicals**

[The Atlantic](#): Uhlmann DM “The Climate Crisis Is Still a Crisis” 19 August 2020

[BBC](#): McGrath M “Climate change: Dams played key role in limiting sea level rise” 19 August 2020

[IISD](#) SDG Knowledge Hub: “WEF Brief Explores Opportunities for Circular Plastics Economy” 18 August 2020

[IISD](#) SDG Knowledge Hub: “Global Observatory Tracks Lead Paint Legislation, Health-related SDG Targets” 18 August 2020

[IISD](#) SDG Knowledge Hub: “WEF Brief Explores Opportunities for Circular Plastics Economy” 18 August 2020

- **Miscellaneous**

Nature [Video](#): Bundell S “The history of the Universe in the blink of an eye” 14 August 2020

[Lexology](#): “Green loans and sustainability-linked loans: what is the difference?” 18 August 2020

[Thomas Reuters Foundation](#): Bacchi U and Hovhannisyan N “As Soviet seed blights Armenian farms, reform promises growth” 18 August 2020

[Lexology](#): “Alliance of Global Investors Release Recommendations to Harmonise and Scale Sustainable Finance” 14 August 2020

[Lexology](#): “Environmental Groups Raise Climate Change Concerns in New Suit Challenging Trump Administration’s Attempted NEPA Overhaul” 13 August 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club: Session #4: Our Sand "Santa ya Rena"

Date: Tuesday, 25 August 2020

Time: 19:00 discussion

25 August 2020 @ 18:30 On 25 August, from 18:30, we will be watching the documentary Our Sand, by Keletso Malepe We hope you watch it too (on YouTube), and join us at 19:00 for a Zoom discussion, looking at the devastating impacts of sand mining and obstacles to effective community environmental activism. Keep an eye on the event page for guest experts. Zoom link will also be posted there on 25 August.

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19

Date: 3-5 September 2020

Place: Virtual

The programme is available on Facebook and the ELA [Website](#)

Registration necessary to obtain the [link](#).

Please note AGM will move to 4 September 2020 during the Annual ELA Conference – updates will follow

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19

Date: 7-8 September 2020

Place: Virtual / [Registration](#)

More information and programme will be posted on Facebook and the Website.

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- **Pretoria**

Date: 29 September to 1 October 2020

Venue: Oppiehoek Guesthouse, corner of Malan and Blake Street, Riviera Pretoria.

The cut-off date for Early Bird discounts is 18 August 2020, the last date for Registration is 8 September 2020),

- **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenview Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

Water Research Commission: Stakeholder Engagement Workshop - Wrc Corporate Plan Development 2021/26

Date: 10 September 2020

Time: 10:00 AM

Register in advance for this meeting: [Click here to register](#)

Water Research Commission: Upcoming webinars for August-September 2020

- Water, Sanitation and Hygiene (WASH) and COVID-19: IORA Member States response to COVID-19 and Beyond”
Date: 31 August 2020
[Registration](#)
- Dialogue: Are water services affordable in South Africa?
Date: 1 September 2020
[Registration](#)
- Dialogue: Water Quality threatens Eco-Tourism: Save our Heritage
Date: 22 September 2020
[Registration](#)

Chief Directorate: National Geo-Spatial Information: Land Cover Class Standardization Workshop

MS Teams Workshop

Thursday 10 September 2020

Time: 9h30 to 13h00

The land cover team through CD:NGI has embarked on the next phase of land cover project to assign land cover classes to standard colour palette for visual or cartographic display. This process entails consultation requirement with the all the stakeholders for their inputs, commentaries and recommendations. Due to the current health challenges caused by the Covid_19 the consultation will be conducted through online workshop, scheduled as set out above.

Confirm attendance to the workshop

[invitation to the Consultation on the Map Design Focusing on the Style and Colour Palette to be used to Represent National Land Cover Classes.](#)

Enquiries: [Luncedo Ngcofe](#) or [Vutomi Ndlovu](#)

International

IUCN Webinar Series: Transboundary Water Governance for Water Security

- Seminar 2: International Water Law and Governance
Date: 26 August 2020
Time: 15:00 – 16:30 SAST/9:00 – 10:30 EDT
- Seminar 3: Benefit-sharing and Water Governance
Date: 2 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT
- Seminar 4: Hydrodiplomacy
Date: 9 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT
- Seminar 5: Water Governance in Southern Africa
Date: 16 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT: 15pm SAT
- Seminar 6: Transboundary Water Governance: Case Studies
Date: 23 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT
- Seminar 7: Transboundary Water Governance Panel
Date: 30 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT

Registration and more information [here](#)

WRC - BioAfrica Convention: Invitation to participate in the Water, Sanitation and Hygiene (WASH) and COVID-19: Africa's response to COVID-19 and Beyond

Date: 26 August 2020 at 09:30 to 10:30 [BioAfrica Convention will take on 24 to 26 August 2020]

Register for the event in the [link](#) herein or [here](#). The, more information can be found in the [link](#).

IAIA21: "Smartening Impact Assessment in Challenging Times -Abstract submissions open 24 August

Date: 18-21 May 2021

Place: Seville, Spain

Papers and posters from IAIA20 will be carried over, but we will also be accepting new presentations to replace those that have had to withdraw. Paper and poster abstract submissions will open 24 August.

IAIA: Virtual symposium: Our Interconnected World

Date: 5-8 October 2020

More [information](#) and [registration](#)

International Renewable Energy Agency (IRENA) webinar: Fuelling Net-Zero: What Next for Clean Tech?

Date: 27 August 2020

[Please join us](#): To register: [click here](#)

Climate Services for Energy, free webinar Exploring how EU projects have developed innovative climate services for the energy industry

Date: 3 September 2020

Time: 10:00-11:00 BST

Part of the Climateurope 'Climate Thursdays' webinar series

Hosted by the [EU Horizon 2020 SECLI-FIRM Project](#)

The Frankfurt School - UNEP Collaborating Centre for Climate and Sustainable Energy Finance e-Learning course portfolio

Next intake beginning on 1st September 2020.

We are once again offering our 6 months online [Certified Expert in Sustainable Finance](#). Available in either English or German, this course studies 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.

Frankfurt School is also offering three climate finance courses, aimed at finance professionals seeking the build the necessary skills for the ongoing transformation in the renewable energy sector and to fight against the climate crisis:

- [Certified Expert in Climate & Renewable Energy Finance](#)
- [Certified Expert in Climate Adaptation Finance](#)
- [Certified Expert in Financing Nationally Determined Contributions \(NDCs\)](#)

All courses are flexible, part-time trainings that are designed to be taken alongside full-time employment or other life commitments. The course content, assignments and final exam are all completely online, which gives you the freedom to study whenever and wherever you wish.

Upon successful completion of each accredited course, participants receive certification from Frankfurt School, one the Europe's leading business Universities.

The next 6-month e-learning courses begin on 1st September 2020. For further information, simply [contact](#) us at or to find out more about the Centre's activities, research and projects, please visit the new [FS-UNEP Centre website](#).

International Renewable Energy Agency (IRENA) and Enlit Europe joint webinar: 'Innovation landscape for a renewable-powered future'

Date: Wednesday, 26 August 2020 at 17:00 CEST

More [information](#)

To register: [Click Here](#)

NEWS

National

- **Biodiversity**

Ellis E “Rhino activists protest as convicted poachers ask to be set free on a legal technicality” [Daily Maverick](#) 21 August 2020

Environmental: MEC suspends entire Ezemvelo board

“MEC for Economic Development, Tourism & Environmental Affairs Nomusa Dube-Ncube has cracked the whip on the embattled entity Ezemvelo Wildlife, suspending the entire board with immediate effect, notes a report in **b**. The Environmental Affairs Portfolio Committee was told during a briefing yesterday that the board had been suspended after allegations of maladministration which implicated all the members. A source close to the investigation reportedly told **b** In a letter to the chairperson of the committee, Dube-Ncube said there had been *prima facie* allegations against the board as a collective. ‘I also can confirm that I have approached KZN MEC for Finance Ravi Pillay to institute a forensic investigation into Ezemvelo, which will be conducted by the external entity to be appointed by him (Pillay),’ she said.”

Full report in The Mercury (subscription needed) LB 19 August 2020

- **Climate change and energy**

“First batch of CERs cancelled against South African carbon tax” [Carbon Pulse](#) 18 August 2020

Sguazzin A “Eskom replaces energy chief” [IOL](#) 18 August 2020

Creamer T “DMRE launches procurement process for 2 000 MW of ‘dispatchable’ power” [Mining Weekly](#) 22 August 2020

Creamer T “Eskom Transmission head says policy, legislative and regulatory changes needed to facilitate unit’s full independence” [Mining Weekly](#) 21 August 2020

Creamer T “Global wind body urges South Africa to explore ‘excellent’ offshore wind potential” [Engineering News](#) 21 August 2020

Garcia D “Redirect military budgets to tackle climate change and pandemics” [Nature](#) 20 August 2020

Legislation: More time to comment on wind, solar energy proposals

“The public commentary period has been extended in respect of four separate but possibly related sets of proposals affecting ‘large-scale wind and solar photovoltaic activities’. They were gazetted on 17 and 31 July in two sets of notices among other things affecting various types of energy generation infrastructure and associated environmental authorisation processes. However, the extension announced in yesterday’s Department of Forestry, Fisheries & Environment media **statement** applies only to the notices on wind and solar energy.”

Read full report Legalbrief Policy Watch 19 August 2020

Energy: NGO campaigns against extending Koeberg lifespan

“Campaigners are urging a rethink on extending the life of the Western Cape’s Koeberg nuclear power plant, while the period for public comment on the draft regulations on the long-term operation of nuclear installations closes today. A Cape Argus report notes that Department of Mineral Resources and Energy Minister Gwede Mantashe published the request which is intended to lead to a nuclear programme delivering new installed capacity of 2.5 gigawatts in June. Mantashe said: ‘The plan also provides for the extension of the life of Koeberg, which is due to be decommissioned in 2024 after 40 years in operation.’ Leading the charge against the extension of the plant’s life span is the Southern African Faith Communities’ Environment Institute, Safcei. Safcei said: ‘As SA faces another push for nuclear energy when the country is in crisis from the Covid-19 pandemic, faith communities call for no more nuclear energy. Nuclear power is not climate resilient, cheap, competitive, quick to build and deliver, safe or able to solve our immediate energy needs.’”

Full Cape Argus report (subscription needed) Legalbrief Environmental 18 August 2020

- **Local government**

Charles M “Heritage site proposal for Two Rivers Urban Park put on ice” [IOL](#) 11 August 2020

Arnoldi N “Construction to start on River Club redevelopment in Cape Town soon” [Engineering News](#) 21 August 2020

“Western Cape govt gives green light to mixed-use redevelopment” [Engineering News](#) 21 August 2020

Hyman A “Space images propel Cape Town’s urban forest dream towards reality” [TimesLive](#) 21 August 2020

Arnoldi M “Pandemic to accelerate push for more flexible, greener and healthier offices” [Engineering News](#) 21 August 2020

General: eThekweni fined for flaunting building regulations

“The eThekweni Municipality has received a hefty fine for failing to comply with building regulations when it was constructing subsidy homes in Umqhawwe Housing

project in Inanda, says a report in The Mercury. The municipality was fined R1.2m by the National Home Builders Registration Council (NHBC) disciplinary committee for failing to enrol 60 subsidy houses which were under construction at Inanda. In a statement, the NHBC said the municipality had paid the fine, which was a record single payment to date and a first from an organ of state operating in the subsidy sector. The council's acting chief executive, Songezo Boo, said it hoped the fine would act as a deterrent to future irregular behaviour by others." Full report in The Mercury (subscription needed) Legalbrief 21 August 2020

- **Mining**

Gernetzky K "Criminal charges against Impala's Mark Munroe withdrawn" [Business Day](#) 18 August 2020

Burkhardt P "Greenpeace skewers South Africa's case for oil drilling" [IOL](#) 19 August 2020

"Mantashe withdraws appeal against 2010 Mining Charter ruling" [Bizcommunity](#) 17 August 2020

Bulbulia T "Minerals Council launches first National Day of Women in Mining" [Mining Weekly](#) 21 August 2020

Creamer M "Getting best out of mining starts with policy certainty, says Gold Fields' Holland" [Mining Weekly](#) 21 August 2020

Slater D "Underground gold mines produce less emissions than openpit operations – S&P Market Intelligence" [Mining Weekly](#) 21 August 2020

- **Water, oceans, waste and chemicals**

Maeko T "Sewage threatens world heritage site" [Mail & Guardian](#) 18 August 2020

- **Miscellaneous**

Bulbulia T "SABS provides details on migration from OHSAS 18001 TO SANS/ISO 45001" [Engineering News](#) 21 August 2020

International

- **Biodiversity, protected areas, animal rights and culture**

"The finding of the shrew: Lost species of tiny mammal rediscovered in Djibouti" [IOL](#) 20 August 2020

Bhengu C "Uhm, no, elephant dung does not cure Covid-19: Namibian government warns against fake news" [TimesLive](#) 19 August 2020

"Scientists harvest more eggs from near-extinct northern white rhino" [TimesLive](#) 20 August 2020

Devlin K "Brexit: Navy may need to intervene in clashes between UK and European fishing vessels, leaked plans warn" [The Independent](#) 23 August 2020

Boyle L "Giraffes are vulnerable to extinction. So why won't America decide on protecting them until 2025?" [The Independent](#) 22 August 2020

Anderson K “Why wildfires are everyone’s problem” [The Independent](#) 22 August 2020

Boyle L “New footage shows record number of fires in Amazon - despite Brazil's leader calling blazes a 'lie'” [The Independent](#) 19 August 2020

Hugelius G “We mapped the world’s carbon-storing frozen peatlands and made a disturbing discovery” [The Independent](#) 20 August 2020

Cockburn H “Scotland urged to license grouse shooting, manage deer populations and preserve fishing to boost wildlife” [The Independent](#) 19 August 2020

Morton A “Native forests: why logging in Victoria and Tasmania is under pressure” [The Guardian](#) 22 August 2020

Philips T “Fears for endangered macaw as fire devastates Brazilian wetland” [The Guardian](#) 19 August 2020

“Systemic injustice for Indigenous people must be addressed” [Sydney Morning Herald](#) 24 August 2020

- **Climate change and energy**

Readfern G “Insurance giant Suncorp to end coverage and finance for oil and gas industry” [The Guardian](#) 21 August 2020

Cooper P “California Beats Cap-and-Trade Patent Infringement Appeal Again” [Bloomberg](#) 21 August 2020

“Poland could be climate neutral by 2056 –report” [Carbon Pulse](#) 20 August 2020

“Western Australia targets national parks for carbon projects” [Carbon Pulse](#) 20 August 2020

Schleifstein M “Gov. John Bel Edwards commits to 25-28% emissions cut by 2025, 'net zero' in Louisiana by 2050” [Nola.com](#) 19 August 2020

Mazengarb M “Palaszczuk announces investment in three Queensland renewable energy ‘corridors’” [Renew Economy](#) 20 August 2020

“Germany set to reach 2020 GHG target due to pandemic effects –study” [Carbon Pulse](#) 14 August 2020

“MSCI launches climate change indexes for China stocks” [Reuters](#) 18 August 2020

Farand C “Angola ratifies Paris Agreement promising more ambitious climate plan” [Climate Home News](#) 13 August 2020

Russell R “‘We can’t wait until 2050 to reach net zero’: Campaigners call for climate crisis to be enshrined in law” [The Independent](#) 12 August 2020

Merino D “The first undeniable climate change deaths” [Mail & Guardian](#) 14 August 2020

“Covid-19 heats up energy transition in Africa” [Bizcommunity](#) 18 August 2020

Wood V “‘Melting faster and faster’: Greenland lost 1 million tonnes of ice for each minute of 2019” [The Independent](#) 22 August 2020

McKie R “Earth has lost 28 trillion tonnes of ice in less than 30 years” [The Guardian](#) 23 August 2020

Cockburn H “Climate crisis: Extreme weather means UK faces worst wheat yields in 40 years, farmers’ union says” [The Independent](#) 20 August 2020

Boyle L “Democrats backtrack and remove demand to end fossil fuel tax breaks from platform” [The Independent](#) 19 August 2020

- **Environmental enforcement**

“How to Reverse Course on Trump’s Environmental Damage” [New York Times](#) 22 August 2020

- **Mining**

“BHP ready to sell stake in Bass Strait oil and gas venture” [IOL](#) 19 August 2020

DeLorenzo T “Department of Interior to allow drilling in Arctic National Wildlife Refuge” [The Jurist](#) 20 August 2020

Volcovici V “Drilling lobby pours millions into Facebook and TV ads claiming natural gas is ‘climate friendly’” [The Independent](#) 20 August 2020

“Grand Canyon will not be mined, says Uranium Producers of America” [Mining Weekly](#) 21 August 2020

- **Water, waste, oceans and chemicals**

“Mauritius oil spill: MV Wakashio captain arrested” [BBC](#) 18 August 2020

“Japanese owners apologise, say they support crew members arrested for Mauritius oil spill” [IOL](#) 19 August 2020

DeLorenzo T “Michigan reaches preliminary \$600M settlement with victims of Flint water crisis” [The Jurist](#) 21 August 2020

Cockburn H “Environment Agency chief provokes outcry over support for watering down protections for rivers and lakes” [The Independent](#) 20 August 2020

Laville S “Diluting English river standards a backward step, campaigners warn” [The Guardian](#) 21 August 2020

Odendaal N “Mobile technology making water accessible and affordable in Africa” [Engineering News](#) 21 August 2020

Boyle L “Ten times more plastic dumped in Atlantic than previously believed” [The Independent](#) 19 August 2020

Palmer C “Britain to get first commercial refinery for extracting precious metals from e-waste” [The Guardian](#) 22 August 2020

McVeigh K “Ocean Rebellion climate action group launches with protest against cruise ship” [The Guardian](#) 21 August 2020

- **Miscellaneous**

Mistlin A “Human consumption of the Earth's resources declined in 2020” [The Guardian](#) 21 August 2020

Keane K “Earth Overshoot Day: When consumption outstrips the planet's eco resources” [BBC](#) 22 August 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

North-West University: Faculty of law

- **Junior Lecturer Private law Mahikeng**
Closing date: 2 September 2020
More [information](#)
- **Junior lecturer/senior lecturer Law and Language Mahikeng**
Closing date: 2 September 2020
More [information](#)
- **Professor/Associate Professor/Senior Lecturer Commercial or Private law Potchefstroom**
Closing date: 2 September 2020
More [information](#)
- **Associate Professor/Senior lecturer Any field of law Vanderbijlpark**
Closing date: 2 September 2020
More [information](#)

University of the Free State: Senior Lecturer / Associate Professor / Professor in Private law

Closing date: 24 August 2020

More [information](#)

University of the Free State: Post-doctoral research fellow: Public law

Closing date: 11 September 2020

More [information](#)

Central University of Technology, Free State: Senior Director: Legal Services

Closing date: 28 August 2020

More [information](#)

The Water Research Commission (WRC), Department of Science and Innovation (DSI) funded innovation platforms, namely the Water Technologies Demonstration Programme (WADER) and South African Sanitation Technology Enterprise Programme (SASTEP) provide funds for the demonstration of various technologies that are appropriate for the water and sanitation sector

The purpose of the field-testing and demonstration is to evaluate and validate the functionality, performance, and user acceptance of the innovation. To ensure the accuracy and veracity of the outcome, independent technology evaluators are required to assess these criteria during the field-testing and demonstration period. The evaluation/validation reports are usually not published but shared

with the innovators so that they can improve their product or service and only shared with the test site partner or other public sector partner if requested and in confidentiality.

More [information](#)

To apply, please complete the attached [Water and Sanitation Technology evaluation Form](#).

All application must be submitted electronically before COB August 31, 2020 to Mrs. [Sarah Ravhudzulo](#)

Any technical queries should be directed to either the WADER Programme Manager, Dr [Manjusha Sunil](#) or the SASTEP Programme Manager, Mr. [Akin Akinsete](#).

International

Switzerland: Phd, Postdoctoral and Research Fellowship

PhD, postdoctoral and research scholarships at Swiss higher education institutions.

Deadline for scholarship applications: 15 December 2020

Join the information Webinar on Tuesday, 15 September at 4.30pm for more information!

Register following this [link](#)

Read [more](#)

Ireland: Master's Kader Asmal Fellowship Programme

Master's scholarships in wide range of fields in Ireland.

Deadline for scholarship applications: 31 August 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.



A Public Benefit Organisation



ELA NEWSLETTER 35

28 August 2020

Level 2 Lockdown

Remember apply the precautionary principle – the virus is still with us!

Keep safe and rather keep contact via Facebook, the website, upcoming e-Conferences and our ELA Streaming Club.

ACTS

National Health Laboratory Service Act 37 of 2000 - Proc R28 in GG 43661 of 28 August 2020 - Date of commencement in respect of the forensic chemistry laboratories under the control of the Department of Health - 1 September 2020

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN 924 in GG 43651 of 25 August 2020 - Amendment to the International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 438 in GG 43189 of 31 March 2020 amended
- GN 925 in GG 43652 of 25 August 2020 - Directions on measures to address, prevent and combat the spread of COVID-19 in the public transport services, 2020 amended
- GN 923 in GG 43650 of 25 August 2020 - Home Affairs - Fourth Amendment Directions to the Directions published in *Government Gazette* No. 43162, Government Notice No. 416 of 26 March 2020
- Gen Notice 448 in GG 43642 of 21 August 2020 - Proposed amendments to directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published in GenN 343 in GG 43465 of 23 June 2020 amended
- GN 943 in GG 43667 of 28 August 2020 - Directions on the resumption of sporting activities, arts and culture published and GN 461 in GG 43226 of 9 April 2020 amended
- Gen Notice 452 in GG 43653 of 25 August 2020 - Tourism Directions published in Gen 356 in GG 43487 of 29 June 2020 amended

NOTICES

South African Weather Service Act 8 of 2001 - GN 927 in GG 43655 of 26 August 2020 - Regulations Regarding Fees for the Provision of Aviation Meteorological Services, 2020 - for comment

National Environmental Management: Biodiversity Act 10 of 2004 - GN 919 in GG 43643 of 24 August 2020 - Appendices I, II and III of the Convention of International Trade in Endangered Species of Wild Fauna and Flora (CITES) amended with effect from 26 November 2019

National Environmental Management: Air Quality Act 39 of 2004 - GN 920 in GG 43644 of 24 August 2020 - Draft technical guidelines for validation and verification of greenhouse gas emissions - for comment

Division Of Revenue Act 4 of 2020 - GN 936 in GG 43660 of 28 August 2020 - Municipal allocations for conditional grants to local government and conditional grants to provinces

PROVINCES

Mpumalanga

National Environmental Management: Protected Areas Act 57 of 2003 - PN 86 in PG 3185 of 28 August 2020 - Steve Tshwete Local Municipality - Intention to declare a nature reserve - Bezuidenhoutshoek Private Nature

Spatial Planning and Land Use Management Act 16 of 2013 - PN 87 in PG 3185 of 28 of August 2020 - Dr Pixley ka Isaka Seme Local Municipality - 2020 Spatial Development Framework

National Environmental Management: Protected Areas Act 57 of 2003 - PN 88 in PG 3185 of 28 August 20 - Intention to declare an area as part of an existing nature reserve - Sabi Sand Wildtuin - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 89 in PG 3185 of 28 August 2020 - Intention to declare an area as part of an existing nature reserve: Manyeleti Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 90 in PG 3185 of 28 August 2020 - Dr Pixley ka Seme Local Municipality - Intention to declare a protected environment: Afrikan Farms Protected Environment - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 91 in PG 3185 of 28 August 2020 - Intention to declare an area as part of an existing nature reserve: Blyderivierspoort Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 92 in PG 3185 of 28 August 2020 - Steve Tshwete Local Municipality - Intention to declare a nature reserve: Bezuidenhoutshoek Private Nature Reserve

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 63 in PG 3185 of 28 August 2020 - Bushbuckridge Local Municipality - Waste Management By-laws

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 - MN 74 in *PG* 2206 of 27 August 2020 - Nguthu Local Municipality - Establishment of the Municipal Planning Tribunal (MPT) and the appointment of members

Western Cape

Western Cape Land Use Planning Act 2 of 2014 - LAN 20412 in *PG* 8312 of 24 August 2020 - Theewaterskloof Local Municipality - Zoning Scheme Maps

Constitution of the Republic of South Africa, 1996 and Western Cape Land Use Planning Act 2 of 2014 - LAN 20413 in *PG* 8312 of 24 August 2020 - Theewaterskloof Local Municipality - Zoning Scheme By-Law

CASES

National

Samancor Chrome Ltd v VDH Holdings (Pty) Ltd and Others (344/19) [2020] [ZASCA](#) 96 (27 August 2020)

“Summary: Section 22(4)(b) of the Mineral and Petroleum Resources Development Act 28 of 2002 – whether the appellant satisfied the requirement to notify and consult with interested and affected persons – High Court's order reviewing and setting aside the decision of the Minister of Mining Resources to grant a mining right to the appellant set aside – appeal upheld – applications to lead further evidence and to intervene dismissed.”

Petropulos v Dias 2020 (5) SA 65 (SCA)

Land—Lateral support—Duty to maintain lateral support between contiguous pieces of land—Scope of—Extending not only to land in its natural state but also to land with buildings on it.

Nuisance—Neighbour disputes—Duty of lateral support—English law on lateral support, that duty owed only to land in its natural state, not part of our law—In South Africa, duty sourced in neighbour law and owed to land and buildings—Liability for breach of lateral support strict, neither culpa nor dolus required.

Madyibi v Minister of Police 2020 (2) SACR 243 (ECM)

“Mere fact of unlawful arrest and detention causing plaintiff to suffer damages

The plaintiff had been hired by a community to demarcate certain land. While doing so he was accosted by the police, arrested, and held overnight in the cells. The court held that there was no evidence to indicate that he had committed any offence in terms of the Special Planning and Land Use Management and that both his arrest and detention were unlawful. The court further rejected the contention by the defendant that the plaintiff had not proved any damages because of said arrest and detention. It held that arrest and detention were serious violations of the right to freedom under the Constitution and once that right had been infringed, and it was found

that there was no just cause for such arrest and detention, the arrested person would have suffered a measure of damages. An award of R40 000 was considered appropriate.”

Eskom Holdings SOC Ltd v National Energy Regulator of South Africa and Others 2020 (5) SA 151 (GP)

“Electricity—National Energy Regulator—Determination of electricity tariffs—Factors to be taken into account—Affordability and impact on consumer relevant factors—Energy Regulatory Act 4 of 2006, s 15(1).

Electricity—National Energy Regulator—Determination of electricity tariffs—Factors to be taken into account—Effect of government equity injection into electricity supplier—Energy Regulatory Act 4 of 2006, s 15(1).”

Niehaus v High Meadow Grove Body Corporate 2020 (5) SA 197 (GJ)

“Spoliation—Mandament van spolie—When available—Electricity supply—Body corporate of sectional title scheme reducing supply of electricity to unit of owner who was in arrears with levy payments.”

PUBLICATIONS

International

Sabin Center's new report, [Climate Reregulation in a Biden Administration](#)

Metcald G and Stock J “The Macroeconomic Impact of Europe's Carbon Taxes” (Resources for the Future [Working Paper](#) 27 August 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Engineering News](#): “Opinion: When allocating fishing rights, govt should learn from the errors of 2016” 28 August 2020

[Engineering News](#): Campbell R “Private reserves in SA contribute to protection of carnivores but formal parks remain key” 28 August 2020

- **Climate change and energy**

[Engineering News](#): Liedtke S “Coal to remain relevant despite growing shift to renewable energy, says consultancy” 28 August 2020

- **Environmental enforcement**

[Webber Wentzel](#): Rapson Garyn and Kilner Kirsty “EAP Registration Deadline Extended to 8 February 2022” 28 August 2020

- **Local government**

[The Conversation](#): Danielak S “Disaster management models need adjusting: a case study in South Africa explains why” 25 August 2020

- **Mining**

[Daily Maverick](#): Tlale MP “Xolobeni: Protecting vulnerable people’s land against mineral rights grabs” 28 August 2020

[Daily Maverick](#): “Phillip X “Farmers and mining companies must stop buying diesel from unregistered entities, cautions Transnet CEO” 15 August 2020

[Engineering News](#): Odendaal N “Regional developments expected to ignite South Africa’s gas economy” 28 August 2020

- **Water, waste, oceans and chemicals**

[Lexology](#): Hogan Lovells “The A Perspective Podcast: Andrew Skipper talks to Malek Sukkar” 26 August 2020

Africa

- **Biodiversity, protected areas and culture**

[Namibian](#): Menges W “Seaflower sues to stop quota auction” 24 August 2020

[BusinessLive](#): Paravicini G “Dead dolphins wash up on Mauritius beach near site of July oil spill” 26 August 2020

[The Conversation](#): Van der Walt P and Mokgale LL “Banning trophy hunting can put wildlife at risk: a case study from Botswana” 25 August 2020

- **Local government**

[allAfrica](#): “Kenya: Opinion - Nairobi Recovers Its Green Spaces During Pandemic. Other Cities Can Too” 24 August 2020

[The Conversation](#): Bainomugisha E “How we’re measuring air quality in Kampala - and why it works for African cities” 26 August 2020

[The Conversation](#): Troco AA “Why COVID-19 can’t be blamed for Angola’s failure to have local governance” 24 August 2020

- **Mining**

[allAfrica](#): Lutta S “Kenya: State Doing Forensic Audit of Tullow Oil Operations, CS Munyes Says” 25 August 2020 [Legalbrief Forensic 27 August 2020]

- **Water, Oceans, waste and chemicals**

[Mail & Guardian](#): “Iraqi rivers under threat from dams in Iran and Turkey” 29 August 2020

[IOL](#): Malaba B “Dying for a sip of clean water in Zimbabwe” 29 August 2020

[The Conversation](#): Sarkar A “Why Kenya’s urban poor are exploited by informal water markets” 30 August 2020

- **Miscellaneous**

[The Conversation](#): Roberts S and Bell J “Opinion | Africa has a growing food security problem - and it can’t be fixed without proper data” 27 August 2020

[BusinessLive](#): Taylor L “Families left ‘roaming like weeds’ in Uganda, forced to make way for commercial farming” 30 August 2020

[The Conversation](#): Luna J and Dowd-Urbe B “How power shaped the ‘success story’ of genetically modified cotton in Burkina Faso” 30 August 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Lexology](#): “Bioprospecting in South Africa: unique opportunities in the cannabis sector and the biodiversity economy” 25 August 2020

[The Independent](#): Boyle L “Global fires are up 13% from 2019’s record-breaking numbers” 27 August 2020

[Nature](#): Tellefson J “Why deforestation and extinctions make pandemics more likely” 7 August 2020

[Science](#): Weiss KR “To save this palm-filled paradise, biologists must kill the trees” 27 August 2020

[Science](#): Pennisi E “Hidden webs of fungi protect some forests from drought—but leave others vulnerable” 26 August 2020

- **Climate change and energy**

[Lexology](#): “The Western Climate Initiative and the Trump Administration” [Canada] 25 August 2020

[Lexology](#): “Illinois Governor Pritzker Issues Significant Energy Policy Proposals” [USA] 26 August 2020

[Lexology](#): “Climate Financial Risk Forum publishes practical recommendations for firms” [UK] 21 August 2020

[Carbon Brief](#): “Wind and solar are 30-50% cheaper than thought, admits UK government” 27 August 2020

[Lexology](#): “Judge Defers to Bureau of Land Management on National Environmental Policy Act Analysis of Cumulative Impacts on Climate Change” 25 August 2020

[Lexology](#): “Will California Adopt First-of-its-Kind Legislation Governing GHG Emissions from Land-Based Activities?” 25 August 2020

[Science](#): Voosen P “Growing underwater heat blob speeds demise of Arctic sea ice” 25 August 2020

[Science](#): Choi C “Ancient megadrought may explain civilization’s ‘missing millennia’ in Southeast Asia” 24 August 2020

[Mining Weekly](#): “India must give up coal in fight against climate change, UN chief says” 28 August 2020

- **Environmental enforcement**

[Lexology](#): “Implications of Bill 197 for municipal class environmental assessments: Reducing the application and scope of class EAs for municipal infrastructure projects” [Canada] 26 August 2020

[Lexology](#): “Is it mandatory to consider the biodiversity offsets proposed in a DA?” [Australia] 25 August 2020

- **Mining**

[Science](#): Wittenberg A “In reversal, Trump kills huge Alaskan gold mine. Here’s why” 24 August 2020

- **Water, oceans, waste and chemicals**

[IISD](#) SDG Knowledge Hub: “Community of Practice Addresses Links Between Gender and Chemicals” 27 August 2020

[Science](#): Cantwell M “How transforming riverbanks can clean contaminated waterways” 28 August 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual e-Conference: (Re)configuring environmental law amidst COVID19

Date: 3-5 September 2020

Place: Virtual

The programme is available on Facebook and the ELA [Website](#)

Registration necessary to obtain the [link](#).

Please note AGM will move to 4 September 2020 during the Annual ELA Conference – updates will follow

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19

Date: 7-8 September 2020

Place: Virtual / [Registration](#)

More information and programme will be posted on Facebook and the Website.

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- **Pretoria**

Date: 29 September to 1 October 2020

Venue: Oppiehoek Guesthouse, corner of Malan and Blake Street, Riviera Pretoria.

The cut-off date for Early Bird discounts is 18 August 2020, the last date for Registration is 8 September 2020),

- **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenvue Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

Water Research Commission: Stakeholder Engagement Workshop - Wrc Corporate Plan Development 2021/26

Date: 10 September 2020

Time: 10:00 AM

Register in advance for this meeting: [Click here to register](#)

Water Research Commission: Upcoming webinars for August-September 2020

- **Dialogue: Are water services affordable in South Africa?**

Date: 1 September 2020

[Registration](#)

- **Dialogue: Water Quality threatens Eco-Tourism: Save our Heritage**

Date: 22 September 2020

[Registration](#)

Chief Directorate: National Geo-Spatial Information: Land Cover Class Standardization Workshop

MS Teams Workshop

Thursday 10 September 2020

Time: 9h30 to 13h00

The land cover team through CD:NGI has embarked on the next phase of land cover project to assign land cover classes to standard colour palette for visual or cartographic display. This process entails consultation requirement with the all the stakeholders for their inputs, commentaries and recommendations. Due to the current health challenges caused by the Covid_19 the consultation will be conducted through online workshop, scheduled as set out above.

Confirm attendance to the workshop

[invitation to the Consultation on the Map Design Focusing on the Style and Colour Palette to be used to Represent National Land Cover Classes.](#)

Enquiries: [Luncedo Ngcofe](#) or [Vutomi Ndlovu](#)

STIAS webinar: The Evolutionary Commons: Putting Darwinism to Work for Humanity

Date: 2 September 2020

Daniel Brooks, STIAS Fellow 2017, is one of a handful of scientists who can in fairness claim to have foreseen the potential upheaval that something like SARS-CoV-2 and COVID-19 could have on humanity. He told his cohort of fellows then that “climate change, population growth and globalisation are allowing pathogens to move around more quickly”, and that “major technologically advanced cities are particularly susceptible to disease outbreaks and these will tend to affect the people within those cities with the least access to the educational system and primary health care.”

It is worth revisiting the post of [Dan's seminar in 2017](#) – all of which he subsequently spelled out in a co-authored book *The Stockholm Paradigm: Climate Change and Emerging Disease* (University of Chicago Press, 2019), which a [Lancet review](#) enthusiastically endorses as follows: “Never before has there been a greater need for medicine to meet ecology: a true One Health, nay, planetary health approach.”

Please find their abstract, biographies and registration details in the leaflet attached and on our [events page](#).

Please [register](#) for attendance by Friday 28 August – with appreciation to those who already have.

NRF and ICLEI Africa webinar: Voices of African Cities in the localisation of SDGs

Date: 01 September 2020

Time: 14:00-16:00 CAT

Duration: 120 minutes

Webinar

format:

Zoom

(https://zoom.us/webinar/register/WN_TSJbEjEpQleL1IjA2M_Rbg)

For more information please contact: [Nachi Majoe](#) / [Thabo Dikgale](#)

International

IUCN Webinar Series: Transboundary Water Governance for Water Security

- [Seminar 3: Benefit-sharing and Water Governance](#)

Date: 2 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT

- [Seminar 4: Hydrodiplomacy](#)

Date: 9 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT

- [Seminar 5: Water Governance in Southern Africa](#)

Date: 16 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT: 15pm SAT

- [Seminar 6: Transboundary Water Governance: Case Studies](#)

Date: 23 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT

- [Seminar 7: Transboundary Water Governance Panel](#)

Date: 30 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT

Registration and more information [here](#)

WRC - BioAfrica Convention: Invitation to participate in the Water, Sanitation and Hygiene (WASH) and COVID-19: Africa's response to COVID-19 and Beyond

Date: 26 August 2020 at 09:30 to 10:30 [BioAfrica Convention will take on 24 to 26 August 2020]

Register for the event in the [link](#) herein or [here](#). The, more information can be found in the [link](#).

IAIA21: "Smartening Impact Assessment in Challenging Times -Abstract submissions open 24 August

Date: 18-21 May 2021

Place: Seville, Spain

Papers and posters from IAIA20 will be carried over, but we will also be accepting new presentations to replace those that have had to withdraw. Paper and poster abstract submissions will open 24 August.

IAIA: Virtual symposium: Our Interconnected World

Date: 5-8 October 2020

More [information](#) and [registration](#)

Institute for Carbon Removal Law and Policy Webinar: Agroforestry

Date: 2 September 2020

Time: 6:00 PM – 7:00 PM SAST

[Registration](#) and more information

Webinar on Powering Possibilities - Lessons Learned from Mini-grid Application in Conflict and Fragile Contexts.

Date: 15 Sep, Tuesday

Time: 3:00 pm CEST (check your [local time](#))

Register [here](#)

Virtual Global Conference on Environmental Taxation: 21st Global Conference on Environmental Taxation (GCET21)

Organised by Aarhus University in Denmark and Macquarie University

Date: 24-25 September 2020

More [information](#)

IAIA's "Foundations of Impact Assessment" online training course

Date: 11 September 2020 for application

Date: 12-week course will run 21 September through 11 December 2020

More [information](#)

NEWS

National

- **Biodiversity**

Wild S "Plants are being given Zulu names. Here's why it's important" [GroundUp](#)
24 August 2020

Alim NA “Endangered pangolins threatened as coronavirus hits conservation funds” [The Independent](#) 28 August 2020

- **Climate change and energy**

Kiewiet L “Koeberg could power on to 2044” [Mail & Guardian](#) 28 August 2020

- **Environmental enforcement**

Environment, Forestry and Fisheries on scrapping of environmental authorisations in South Africa

Press release: 26 Aug 2020

Environmental authorisations will not be scrapped by South Africa

Following the receipt of numerous media requests, the Department of Environment, Forestry and Fisheries would like to clarify that any renewable energy developments within identified zones in South Africa will still require an environmental authorization.

The publication in July 2020 of Government Notices calling for comment related to the procedures when applying for an environmental authorisation for the development of renewable energy in South Africa does not exempt any industry from the environmental authorization process.

On the 31 July 2020 the Department published a series of Government Notices that dealt with a number of different aspects.

The first set of Notices dealt with procedures when submitting an application for an environmental authorisation for the development of:

- gas transmission pipelines when developed within Strategic Gas Pipeline Corridors;
- large scale wind and solar PV installations when developed within Renewable Energy Development Zones; and
- electricity grid infrastructure when developed within Renewable Energy Development Zones.

The proposals streamline the process to allow these developments to follow a Basic Assessment process rather than a Scoping and Environmental Impact Assessment process.

The timeframes in which the Department is to take decisions on such applications has also been reduced from 107 days to 57 days. This is because the proactive site sensitivity work has already been undertaken through two two-and-a-half-year Strategic Environmental Assessment (SEA) processes. These determined the environmental sensitivity of each of the zones and corridors.

The second set of Government Notices published on the 31 July 2020 related to:

- the proposed adoption of a Generic Environmental Management Programme (Empire) for Gas Transmission Pipeline Infrastructure (2020) relevant to an application for environmental authorisation for gas transmission pipeline infrastructure and
- the adoption of a standard for the development of electricity transmission and distribution infrastructure within identified geographical areas and the exclusion of this infrastructure from the requirement to obtain an environmental authorisation.

This generic EMP is intended to replace the need for a site specific environmental management programme when implemented. The developer is still required to undertake an EIA process and to commit to implementing the provisions of the generic EMP. It will be an offence should they not do so.

The exclusion of the expansion of electricity grid within the pre-assessed strategic corridors is based on the fact that the country has been developing grid infrastructure for many years and the impacts and mitigation measures are well known and exclusion will be based on the adherence to the standard and failure to comply with the standard is an offence. The standard has been developed by environmental specialists and includes a public consultation and appeal process for each project. The standard will reduce the timeframe between conceptualising a grid expansion project to its implementation, and means that energy can be provided to the user faster or on time in the case of new renewable energy developments.

The last set of four Notices published in July dealt with the consultation on the adoption of a generic environmental management programme (EMPr) for the management and mitigation of environmental impacts resulting from the implementation of the Working for (Wetlands, Ecosystems, Water and LandCare) projects, and the exclusion of these projects from the requirement to obtain environmental authorization on the basis that each project follows the requirement contained in the EMPr. These projects related to the eradication of invasive plant species, and the rehabilitation of wetlands, ecosystems and degraded community farming land and the exclusion is for these projects only.

It should be noted that the proposed exclusion of the Working for programmes from the need to obtain environmental authorisation is based on the fact that they all have rehabilitation objectives, and are implemented through the Expanded Public Works Programme which has a low impact on the environment. Because the programmes have been implemented for over 10 years, the impacts and mitigation measures employed are well-known and a full assessment process for each project is therefore not necessary.

None of these initiatives have been implemented as they are in the consultation phase.

It should be noted by participants of the Dear South Africa campaign that input into Departmental process is welcomed, but information presented to the public should be accurate. The Department values constructive, informed and cordial engagement.

- **Local government**

Charles M “Observatory residents to fight R4bn River Club redevelopment plan” [IOL](#) 26 August 2020

Yeld J “Masiphumelele upgrade plan approved but Noordhoek group’s appeal still pending” [GroundUp](#) 28 August 2020

Kretzmann S “R4 billion River Club development clears major obstacle” [GroundUp](#) 27 August 2020

- **Water, oceans, waste and chemicals**

Damba-Hendrick N “Five villages share one 5,000-litre water tank” [GroundUp](#) 27 August 2020

Mbovane T “Can you guess the order these photos were taken?” [GroundUp](#) 26 August 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Maas C “UK seeks to introduce law curbing supply chain deforestation” [The Jurist](#) 27 August 2020

James L “France suspends ‘cruel and odious’ practice of glue trapping birds after warning” [The Independent](#) 28 August 2020

Cockburn H “Congo elephant poacher jailed for 30 years in landmark case” [The Independent](#) 26 August 2020

Boyle L “Huge wildfire smoke cloud blocks view of California from space as 650 blazes rage in the state” [The Independent](#) 25 August 2020

“Zimbabwe investigates mysterious death of 11 elephants” [The Guardian](#) 30 August 2020

McKie R “Rampant destruction of forests ‘will unleash more pandemics’” [The Guardian](#) 30 August 2020

Cox L “‘Taking an eraser’ to Australia’s wildlife: ad blitz planned to fight environment law” [The Guardian](#) 28 August 2020

Ranaham J “Can a 2,000ft fence save Hawaii’s rare native birds from destruction?” [The Guardian](#) 28 August 2020

- **Climate change and energy**

“EU Commission likely to push for most ambitious 2030 emissions reduction goal –media” [Carbon Pulse](#) 27 August 2020

Smith A “Daily on Energy: Republican voters want climate legislation, polling shows” [Washington Examiner](#) 26 August 2020

“August heatwave sends California power consumption above 2019 levels” [Carbon Pulse](#) 26 August 2020

Pagach S “Senate Democrats unveil climate change plan” [The Jurist](#) 26 August 2020

Boyle L “Science deniers, pro-oil and anti-fact: Meet the cabal of climate crisis deniers at the heart of the RNC” [The Independent](#) 27 August 2020

Butler B “Construction and mining industry super fund puts carbon-intensive companies on notice” [The Guardian](#) 30 August 2020

Karp P “Australian Industry Group urges Coalition to spend ‘at least’ \$3.3bn on renewable energy over coming decade” [The Guardian](#) 30 August 2020

Kearney L “U.S. regulator backs Energy Transfer in Chesapeake pipeline dispute: court filing” [Reuters](#) 28 August 2020

- **Environmental enforcement**

Cox L “Australia’s national environmental laws: what is the Morrison government proposing to change and why?” [The Guardian](#) 27 August 2020

“More than 20 states sue over Trump changes to key environmental law” [Reuters](#)
28 August 2020

- **Mining**

Sutterud T and Ulven E “Norway plans to drill for oil in untouched Arctic areas” [The Guardian](#) 26 August 2020

Wettengel J “German government and states seal coal exit support deal for mining regions” [CleanEnergyWire](#) 28 August 2020

- **Water, waste, oceans and chemicals**

Boyle L “Hurricane Laura causes ‘extremely dangerous’ chlorine leak at Louisiana chemical plant” [The Independent](#) 27 August 2020

Spring J “Brazil’s Pantanal, world’s largest wetland, burns from above and below” [Reuters](#) 29 August 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

North-West University: Faculty of law

- **Junior Lecturer Private law Mahikeng**

Closing date: 2 September 2020

More [information](#)

- **Junior lecturer/senior lecturer Law and Language Mahikeng**

Closing date: 2 September 2020

More [information](#)

- **Professor/Associate Professor/Senior Lecturer Commercial or Private law Potchefstroom**

Closing date: 2 September 2020

More [information](#)

- **Associate Professor/Senior lecturer Any field of law Vanderbijlpark**

Closing date: 2 September 2020

More [information](#)

University of the Free State: Post-doctoral research fellow: Public law

Closing date: 11 September 2020

More [information](#)

University of the Free State: Senior Assistant Officer

Closing date: 8 September 2020

More [information](#)

University of Pretoria: Professor / Associate Professor and Head of Department (One Post) in Education law

Closing date: 25 September 2020

More [information](#)

Tech-Pro: Procurement Specialist

Closing date: 26 September 2020

More [information](#)

EE Male Candidate Attorney

More [information](#)

Aveng Careers: Training Manager: Mining, Kathu Northern Cape

More [information](#)

International

[Research Fellow in Law](#)

University of New South Wales

[Professorship of International Dispute Resolution](#)

University of Vienna Faculty of Law

[Researcher in the Domain of Technology and Taxation](#)

University of Antwerp Faculty of Law

[Professorship of International Law](#)

Friedrich Schiller University of Jena Faculty of Law

[Assistant Professor of Law and Economics](#)

University of Bonn Faculty of Law and Economics

[Postdoctoral Fellow in Healthy City Research](#)

University of Hong Kong Faculty of Architecture

[Postdoctoral Fellow in Medical Ethics and Law](#)

University of Hong Kong Department of Law

[Postdoctoral Fellows in Law](#)

University of Hong Kong Faculty of Law

[Postdoctoral in Socio-Legal Research Scientist at IViR](#)

University of Amsterdam Amsterdam Law School – Institute for Information Law

[Research Fellow in Political Philosophy or Legal Theory on the Legitimacy of International Courts](#)

University of Oslo

[Postdoctoral Research Fellow in State Public Law](#)

University of the Free Department Public Law

[Professor of Law](#)

University of California Los Angeles School of Law

[Assistant Professor of Law](#)

University of Pennsylvania Law School

[Assistant Professor of Law](#)

University of California Los Angeles School of Law

[Professor of Climate Equity and Environmental Justice](#)

University of California Berkeley College of Natural Resources

[Assistant / Associate Professor of Environmental Policy and Governance](#)
Yale University School of the Environment

[Lecturer in Law](#)
University of Chicago Law School

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.



A Public Benefit Organisation



ELA NEWSLETTER 36

4 September 2020

Level 2 Lockdown

Remember apply the precautionary principle – the virus is still with us!

Keep safe and rather keep contact via Facebook, the website, upcoming e-Conferences and our ELA Streaming Club.

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN 967 in GG 43688 of 4 September 2020 - Directions for Alert Level 2, to address, prevent and combat the spread of COVID-19 in all correctional centres and remand detention facilities in the Republic of South Africa
- GN 953 in GG 43679 of 2 September 2020 - Directions on measures to address, prevent and combat the spread of COVID-19 in the public transport services, 2020 published in GN 801 in GG 43538 of 22 July 2020 amended
- GN 950 in GG 43675 of 2 September 2020 - Preventative Measures in the Railway Operations (COVID-19 Control Measures on the Operations by Rail) Directions, 2020 published in GN 494 in GG 43273 of 4 May 2020 amended

NOTICES

Statistics South Africa – Gen Notice 489 in GG 43686 of 4 September 2020 - Consumer Price Index, Rate (Base Dec 2017 = 100): July 2020: 3.2

Petroleum Products Act 120 of 1977 - GN R945 in GG 43669 of 1 September 2020 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 2 September 2020

Petroleum Products Act 120 of 1977 - GN R946 in GG 43669 of 1 September 2020 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R847 in GG 43580 of 4 August 2020 substituted with effect from 2 September 2020

Petroleum Products Act 120 of 1977 - GN R947 in GG 43669 of 1 September 2020 - Regulations in respect of petroleum products published in GN R849 in GG 43580 of 4 August 2020 substituted with effect from 2 September 2020

International Trade Administration Act 71 of 2002 - GN R952 in GG 43677 of 2 September 2020 - International Trade Administration Commission of South Africa (ITAC) - Policy Directive on the Exportation of Ferrous and Non-Ferrous Waste and Scrap Metal amended

International Trade Administration Act 71 of 2002 – Gen Notice 464 in GG 43670 of 1 September 2020 - Proposed Amended Export Control Guidelines on Exportation of Ferrous and Non-Ferrous Waste and Scrap - for comment

National Environmental Management: Biodiversity Act 10 of 2004 - GN 961 in GG 43686 of 4 September 2020 - Proposed emergency intervention in respect of the shot-hole borer beetle *Euwallacea fornicatus* (Polyphagous) (Coleoptera: Curculionidae: Scolytinae) - for comment

PROVINCES

North West

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 59 in PG 8143 of 1 September 2020 - Moses Kotane Local Municipality - Spatial Development Framework 2020 – 2025

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 104 in PG 8143 of 1 September 2020 - Kgetlengrivier Local Municipality - Municipal Planning Tribunal (KMPT) and the appointment of members

Free State

Spatial Planning and Land Use Management Act 16 of 2013 - PN 30 in PG 33 of 4 September 2020 - Mangaung Metropolitan Municipality - Spatial Development Framework (SDF) 2020/2021

KwaZulu Natal

Disaster Management Act 57 of 2002 – PN 77 in PG 2208 of 28 August 2020 - Declaration of Provincial State of Disaster as a result of damage caused by inclement weather and the subsequent damage and loss of life

CASES

National

Sedibeng Iron Ore (Pty) Ltd v Rexton Holdings (Pty) Ltd and Others (717/2020) [2020] [ZANCHC](#) 63 (31 August 2020)

“Sedibeng and Rexton have a history of disputes as a result of their respective rights over Klipfontein. Sedibeng has been the holder of a converted mining right since about 2009 and it and its predecessors have been mining for iron ore on Klipfontein for many years. Rexton first made application for a prospecting right for manganese on Klipfontein during 2014. Sedibeng lodged an objection but the prospecting right was nevertheless granted during 2016. Sedibeng then appealed the granting of the prospecting right to Rexton in terms of s 96 of the Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA). The prospecting right

granted to Rexton was set aside after the internal appeal by Sedibeng was upheld. The matter was then referred to the Regional Mining Development and Environmental Committee (RMDEC) to consider Sedibeng's objection and to advise the Minister of Mineral Resources and Energy (the Minister) therein."

Vaal River Development Association (Pty) Ltd v Eskom Holdings SOC Ltd and Others; Lekwa Rate Payers Association NPC v Eskom Holdings SOC Ltd and Others (31813/20) [2020] [ZAGPPHC](#) 429 (28 August 2020)

"1. The applicants are bodies that represent persons who reside and conduct business in towns within the Ngwathe Municipality in the Free State Province and the Lekwa Municipality in the Mpumalanga Province.

2. The applicants both seek interim orders, pending the institution of review proceedings to compel the first respondent – Eskom, the sole supplier of electricity to the municipalities, to *inter alia* restore the supply of electricity to those municipalities at levels enjoyed before this was reduced to within the Notified Maximum Demand ("NMD") as provided for in the contracts entered into between Eskom and the municipalities. The reductions were effected in June/July of this year."

Victoria Country Club Estate Master Homeowners Association NPC v Goosen and Others (2838/2019P) [2020] [ZAKZPHC](#) 46 (27 August 2020)

"[1] The applicant seeks an order consisting of three parts. First, it seeks a declaratory relief as to the obligations of its members and/or contractors to comply with the applicant's rules. Second, it seeks interdictory relief preventing the respondents from commencing or continuing, or causing to be commenced or continued, construction activity of any form on the property, save in accordance with the building plans approved by the applicant's Architectural Design Committee and the Msunduzi Municipality.

[2] And, third, it seeks the relief aimed at the removal of imported soil and/or fill material from its property, and demolition of existing structures encroaching on its property to:

(a) restore the property into the condition which prevailed relative thereto as at the date of the handover of the property to them on 10 May 2018, alternatively, to a condition that is in compliance with the terms, conditions, formalities and requirements in the applicant's rules and/or any notice issued by the applicant under the applicant's rules and consistent with the building plans approved by the applicant and the Msunduzi Municipality in respect of the property; and

(b) remove any encroachment, obstruction or interference of whatsoever nature upon the property of the Club and the golf course.

And, to rectify any:

(a) interference with the drainage feature and/or water flow upon the Estate, in conjunction with an Environmental Assessment Practitioner employed by the applicant and to the satisfaction of the Department for Economic Development, Tourism and Environmental Affairs KZN; and

(b) contraventions of the environmental legislation occasioned by their activity on the property and/or remove any conditions which threaten the environment in respect of their activity on the property."

Samancor Chrome Ltd v VDH Holdings (Pty) Ltd and Others (344/19) [2020] [ZASCA](#) 96 (27 August 2020)

Summary: Section 22(4)(b) of the Mineral and Petroleum Resources Development Act 28 of 2002 – whether the appellant satisfied the requirement to notify and consult with interested and affected persons – High Court's order reviewing and setting aside the decision of the Minister of Mining Resources to grant a mining right to the appellant set aside – appeal upheld – applications to lead further evidence and to intervene dismissed.

Adonisi and Others v Minister for Transport and Public Works Western Cape and Others; Minister of Human Settlements and Others v Premier of the Western Cape Province and Others (7908/2017; 12327/2017) [2020] [ZAWCHC](#) 87 (31 August 2020)

[48] As will be seen from the relief claimed in the notice of motion cited above, RTC has adopted a multi-pronged attack. Firstly, it attacks the failure of the Province and the City, over the first 25 years of democratic rule, to address the issue of spatial apartheid in central Cape Town, and to this end it seeks declaratory relief, and a structural interdict, to hold the authorities to account in respect of their alleged failure to comply with their respective constitutional and statutory obligations in that regard. Consideration of these claims involves an assessment of various policy instruments applicable to both the Province and the City.

Socio-economic rights – cooperative governance – right to adequate housing – Spatial Planning and Land Use Management Act – development – municipal planning – role of provinces

PUBLICATIONS

National

Gilder A and Rumble O “Implications of the COVID-19 pandemic for global climate change responses” (SAILA Policy Briefing No 200 July 2020)

International

Andermann T *et al* “The past and future human impact on mammalian diversity” 2020 6(36) [Science Advances](#) DOI: 10.1126/sciadv.abb2313

Dinerstein E *et al* “A ‘Global Safety Net’ to reverse biodiversity loss and stabilize Earth's climate” 2020 6(36) [Science Advances](#) DOI: 10.1126/sciadv.abb2824

Jones MC *et al* “High sensitivity of Bering Sea winter sea ice to winter insolation and carbon dioxide over the last 5500 years” 2020 6(36) [Science Advances](#) DOI: 10.1126/sciadv.aaz9588

Khare P *et al* “Asphalt-related emissions are a major missing nontraditional source of secondary organic aerosol precursors” 2020 6(36) [Science Advances](#) DOI: 10.1126/sciadv.abb9785

Sousa R *et al* “Emissions trading in the development model of Colombia” 2020 *Climate Policy* DOI: 10.1080/14693062.2020.1808436

Renewable Energy Institute “Proposal for the 2030 Energy Mix in Japan (First Edition) English [summary](#) - originally published in Japanese on 6 August 2020

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Mail & Guardian](#): “Humans leave deep imprint on Antarctica’s biodiversity” 1 September 2020

[The Conversation](#): Estaban I and de la Peña Alonso P “Grass on ash: uncovering 200,000 year old beds from South Africa” 3 September 2020

[The Conversation](#): Aremo AO, Pinkoane M and Qwebani-Ogunleye T “What South Africa is doing to protect and share traditional medicine resources” 2 September 2020

- **Climate change and energy**

[Mail & Guardian](#): Mathe T “Eskom caught in debt trap” 4 September 2020

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[BusinessLive](#): Editorial: Leaving renewable energy in the dark will stunt growth” 4 September 2020

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- **Local government**

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[Bizcommunity](#): Kennedy M and Ishmael J “Mining and community engagement: the latest decision” 4 September 2020

- **Water, waste, oceans and chemicals**

[Mail & Guardian](#): Harper P “Amatola Water boss charged with organising protests” 4 September 2020

[Daily Maverick](#): Mafolo K “Dam levels rise in Western Cape while Vaal Dam storage declines” 4 September 2020

[Daily Maverick](#): October A “OR Tambo District water management crisis: The making of a public-health time bomb” 2 September 2020

- **Miscellaneous**

[Lexology](#): “SA court considers the meaning of frivolous, vexatious and without merit in setting aside a derivative action” 1 September 2020

[Daily Maverick](#): Thamm M “Court upholds judgment that Barnabas Xulu’s firm was illegally appointed in fisheries saga” 1 September 2020

Africa

- **Biodiversity, protected areas and culture**

The Namibian Investigative [Unit](#): Ndeyanale E “Fishcor paid Esau’s adviser” 1 September 2020

[allAfrica](#): Nkurunziza M “Rwanda: Govt on Course to Restore Two Million Hectares of Deforested Land” 1 September 2020

[allAfrica](#): Wairimu W “Kenya: Panic As Desert Locusts in Northern Kenya Start Maturing” 30 August 2020

[BBC](#): Briggs H “Earth's 'lost species' only the tip of the iceberg” 5 September 2020

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- **Climate change and energy**

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- **Local government**

[allAfrica](#): “Nigeria: Makoko Dwellers Protest As Lagos Govt Moves to Develop World's Biggest Floating Slum” 2 September 2020

[Makanday](#): “Forest homes for the wealthy, sewage water for the rest” [Zambia] 27 August 2020

[allAfrica](#): Mugisha EC “Rwanda: Kigali to Pilot 'Smart' Waste Management System” 1 September 2020

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- **Mining**

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[allAfrica](#): “Zimbabwe: Chinese Invade Hwange National Park to Mine for Coal” 3 September 2020

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- **Water, Oceans, waste and chemicals**

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International

- **Biodiversity, animal rights, national parks and culture**

Thomas Reuters [Foundation](#): Blomberg M “Cambodian rice farmers turn guardians of the forest” 28 August 2020

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[Lexology](#): “Kangaroo Rat: From Endangered to Threatened” [USA] 2 September 2020

[Lexology](#): “EPA Proposes to Allow Certain Uses of Biotechnology in Development of Plant-Incorporated Protectants” 2 September 2020

[Lexology](#): “Brazil: Nagogya Protocolo Awaits Executive Branch Enactment” 2 September 2020

[Lexology](#): “UK Proposes New Legislation On Illegal Deforestation” 2 September 2020

[IISD](#) SDG Knowledge Hub: Wagner L “GEF, Partners to Make Business Case for Nature-Based Infrastructure” 3 September 2020

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[IISD](#) ENB: “Convention on Biological Diversity: Special Virtual Sessions” 15-18 September 2020

[Lexology](#): “Liability for Incidental Take Under Migratory Bird Treaty Act Remains in Flux Following SDNY Decision” 1 September 2020

[Podcast](#): The late “[Joseph Sax](#) [father of the public trust doctrine] on his philosophy of wilderness and wild lands (Aristotle + Rawls + Joe), with some wonderfully revealing Q&A thereafter” – as stated and digitized by Zigmunt Plater (Professor Boston College Law School)

[BBC](#): Briggs H “Scientists have the answer to a tadpole mystery” 3 September 2020

- **Climate change and energy**

[Lexology](#): “NAIC Continues Work on Climate Risk and Resilience Issues” [USA] 2 September 2020

[Lexology](#): “Government sets out Proposals for Use of New ‘Green’ Targets” [UK] 2 September 2020

[Lexology](#): “Update: First Circuit Revises Prior Decision to Vacate Air Permit in Light of Material Developments” [USA] 1 September 2020

[Lexology](#): “New York State Is Moving Forward to Implement the Climate Leadership and Community Protection Act” 1 September 2020

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[The Conversation](#): Hudson P “IPCC: the dirty tricks climate scientists faced in three decades since first report” 27 August 2020

- **Environmental enforcement**

[Lexology](#): “ELI Report Looks at Trump Administration’s Impact on Environmental Law and Policy and What Lies Ahead” 2 September 2020

[Lexology](#): “Single-touch environmental approvals proposed under first tranche of EPBC Act reforms” [Australia] 1 September 2020

[Lexology](#): “EPBC Act reform process underway with new Bill for approval bilateral agreements regime” [Australia] 3 September 2020

[Lexology](#): “New Jersey Passes Landmark Environmental Justice Legislation” 1 September 2020

[Lexology](#): “A new player in the ESG scene: fighting climate change” 1 September 2020

[Lexology](#): “‘Never waste a (COVID-19) crisis’: new proposals to streamline the Australian government's environmental approvals regime” 2 September 2020

- **Local government**

[Daily Maverick](#): Campanella E “Why we may be seeing the end of megacities” 3 September 2020

- **Mining**

[Lexology](#): “UK Government consults on revised EIA Regulations for Offshore Oil and Gas” 20 August 2020

- **Water, oceans, waste and chemicals**

[IISD](#) ENB: “12th Meeting of the Open-ended Working Group of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (OEWG12)” 1 and 3 September 2020 and March 2021

[Lexology](#): “Illinois Pollution Control Board Schedules Second Round of Public Hearings on Proposed Regulations for Coal Ash Ponds” [USA] 2 September 2020

[Health24](#): “Autopsies show microplastics in all major human organs” 24 August 2020

[Water & Tribes Initiative](#): Fact sheet about universal access to clean water in the Colorado River Basin

[Npr](#): Greenfieldboyce N “Water, Water, Every Where — And Now Scientists Know Where It Came From” 27 August 2020

Thomas Reuters [Foundation](#): Niazi S “Virus-idled Indian workers dig into a new job: boosting water security” 4 September 2020

[IISD](#) SDG Knowledge Hub: “16th Meeting of the Chemical Review Committee (CRC-16) of the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade” 8-11 September 2020 | Online

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Annual Student e-Conference: (Re)configuring environmental law amidst COVID19

Date: 7-8 September 2020

Place: Virtual / [Registration](#)

More information and programme see ELA Facebook and the Website.

ELA Streaming Club – Save the date

Last and final event for 2020: 28 October 2020

More information will follow later

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- **Pretoria**

Date: 29 September to 1 October 2020

Venue: Oppiehoek Guesthouse, corner of Malan and Blake Street, Riviera Pretoria.

The cut-off date for Early Bird discounts is 18 August 2020, the last date for Registration is 8 September 2020),

- **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenvue Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

Water Research Commission: Upcoming webinars for August-September 2020

- **Dialogue: Water Quality threatens Eco-Tourism: Save our Heritage**

Date: 22 September 2020

[Registration](#)

International

Copenhagen Centre on Energy Efficiency Energy Efficiency in Municipality's Buildings

Date: 9 September 2020

Time: 11:00 AM CEST

[Registration](#)

IUCN Webinar Series: Transboundary Water Governance for Water Security

- **Seminar 5: Water Governance in Southern Africa**
Date: 16 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT: 15pm SAT
 - **Seminar 6: Transboundary Water Governance: Case Studies**
Date: 23 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT
 - **Seminar 7: Transboundary Water Governance Panel**
Date: 30 September 2020
15:00 – 16:30 SAST/9:00 – 10:30 EDT
- Registration and more information [here](#)

INECE Webinar Series on Community and Citizen Science for Environmental Compliance and Enforcement

Date: 25 September 2020
Time: 10:00 AM in Eastern Time (US and Canada)
[Registration](#)

NEWS

National

- **Biodiversity, protected areas and animal rights**

“Locust outbreaks threaten food security in southern Africa” [FAO](#) 4 September 2020

- **Climate change and energy**

Broughton T “Court orders Eskom to restore full supply immediately” [GroundUp](#) 2 September 2020

Schnabel W “Opinion: SA to slow on renewable energy economic bonanza” [IOL](#) 4 September 2020

Burkhardt P “Eskom sees higher tariffs as only solution to financial woes” [IOL](#) 2 September 2020

Energy: ‘Grid operator’ ownership to remain with state

“‘Regarded as a strategic asset’, SA’s ‘grid operator’ will function as a ‘fully regulated transmission entity ... 100% owned by Eskom’ once the troubled utility’s restructuring process has been concluded. This is apparently in keeping with ‘best practice globally’, according to a recent National Assembly Mineral Resources & Energy Committee media statement explaining its decision on the DA’s 2019 Independent Electricity Management Operator Bill. Considered not to be ‘desirable’, the Bill is described in a joint Eskom and Department of Public Enterprises presentation as an attempt to ‘superimpose’ private ownership on a ‘model’ proposed in the 2012 (subsequently withdrawn) Independent System & Market Operator Bill. According to the document, neither the department nor Eskom supports the notion of a privately-owned market or transmission operator.” Read full report in Legalbrief Policy Watch 4 September 2020

- **Environmental enforcement**

Yeld J “Environmental group slams “flawed” approval for Masiphumelele upgrade” [GroundUp](#) 31 August 2020

- **Local government**

“Serjeant at the Bar | Sea Point land sale judgment: Court lays blame with the province” [News24](#) 3 September 2020

Stent J “Tafelberg: Four years of battle” [GroundUp](#) 2 September 2020

Ncokazi Z-Z “Municipality calls on Bay residents to ‘pray for rain’ as day zero arrives” [HeraldLive](#) 4 September 2020

- **Mining**

Gernetzky K “Mine Restoration Investments lays charges against former directors” [BusinessLive](#) 5 September 2020

- **Water, oceans, waste and chemicals**

Majola N “Villagers have to carry their dead over a “dangerous” river” [GroundUp](#) 1 September 2020

Litigation: Umgeni Water’s R2bn tender set aside

“A massive project that would help ensure fresh drinking water for large parts of Durban has been halted after the KZN High Court (Pietermaritzburg) rejected the awarding of the R2bn tender. A Times Select report says the contract – to refurbish 444km of pipeline between the Nagel (Durban Heights) and Wiggins (Inanda) raw water conveyance system and treatment plant – will now have to start afresh after Umgeni Water’s decision to award the contract to Klomac was set aside. Losing bidders had challenged the award in court in November 2019 when the water entity awarded the tender. In a 31-page court order, Acting Judge Sushila Keshav found that Klomac’s ultimate winning price was R2.058bn, which was R919m more than the second-place joint venture between WBHO and ICON. The court also found Klomac’s price was R514m more than Umgeni Water’s estimated construction costs and R121m more than the entity’s total project budget cost. ‘After opening the second envelope or realising that the amount tendered by Klomac exceeds the estimate of the engineers, Umgeni does not refer the matter back to the consultants for review, nor does it get its own engineers to review the estimates,’ the acting judge said, in questioning the awarding of the contract to Klomac. The report notes in the wake of the ruling, Umgeni Water said the tender would be advertised soon to avoid communities suffering. It expects to award the new bid within the next three months.”

Full Times Select report (subscription needed) Legalbrief Forensic 3 September 2020

Covid-19 crisis: Scrap metal directive relaxed

“A ministerial directive prohibiting the export of specific categories of ferrous and non-ferrous waste and scrap during the Covid-19 State of Disaster has been amended. Extending the period during which the directive will apply by another month, the amendments nevertheless allows the International Trade Administration Commission to consider applications for export permits in respect of ‘certain

grades' of scrap metals found not to be required for domestic processing at the time of applying. The purpose of the original directive was to suspend arrangements in place since May 2013 during an investigation into scrap metal market conditions. This was given the need for short-term measures to address the shortage of affordable, good-quality scrap metal for local beneficiation during the epidemic."

Read full report in Legalbrief Policy Watch 3 September 2020

- **Miscellaneous**

Calland R "Court throws SA's lockdown exit strategy into disarray — but it got it wrong" [BusinessLive](#) 4 September 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Price M "New Guinea's mysterious singing dogs found again in the wild" [Science](#) 31 August 2020

"Zimbabwe elephant death toll rises to 22 after more carcasses found" [IOL](#) 3 September 2020

"Rare gorilla 'baby boom' in Uganda national park" [IOL](#) 2 September 2020

Kalra V and Deshmukh V "Assessing the Status of Hagia Sophia as a 'Mosque' under the UNESCO Convention" [The Jurist](#) 2 September 2020

Cockburn H "Hen harriers: Hopes rise for future of UK's most persecuted bird after best breeding year in decades" [The Independent](#) 4 September 2020

Boyle L "Summer 2020 Arctic wildfires break carbon emissions records" [The Independent](#) 3 September 2020

Chebet C "Covid deals a blow to saving critically endangered Northern White rhino" [The Independent](#) 3 September 2020

Boyle L "Amazon fires have been miscalculated and are actually the worst in a decade" [The Independent](#) 3 September 2020

Alim AN "Stop the Illegal Wildlife Trade: How pangolins became the ultimate luxury good" [The Independent](#) 1 September 2020

Boyle L "Trump administration drops wolves from endangered species list" [The Independent](#) 1 September 2020

Harvey F "Nearly 30,000 tonnes of sewage sludge containing human waste to enter UK" [The Guardian](#) 2 September 2020

Cox L "Australia's environment minister orders investigation into export of hundreds of endangered parrots" [The Guardian](#) 3 September 2020

Weston P "Why are elephants dying? The race to solve the mystery of mass die-offs" [The Guardian](#) 3 September 2020

Nyaungwa N "Dozens of hippos at risk in dried-up water hole in Namibia" [Reuters](#) 5 September 2020

Lema K and Blaza P “I am praying’: captain's texts tell of ordeal of capsized cattle ship” [Reuters](#) 4 September 2020

- **Climate change and energy**

“China’s environment ministry opposes carbon futures market –reports” [Carbon Pulse](#) 3 September 2020

Jackson H “Liberals to unveil ‘ambitious green agenda’ in throne speech, Trudeau says” [Global News](#) 2 September 2020

Schulz F “Germany’s updated renewable energy act lacks ambition, critics say” [Euractiv](#) 3 September 2020

“Six Portuguese youth file ‘unprecedented’ climate lawsuit against 33 countries” [Climate Home News](#) 3 September 2020

Vasquez J “You Can Now Track Carbon in an Ear of Corn from Farm to Table” [Bloomberg](#) 3 September 2020

Fouzder M “Litigation funder focuses justice grants on Covid-19 and climate change” [The Law Society Gazette](#) 28 August 2020

“China among nations likely to miss 2020 deadline for climate plans – UN’s Espinosa” [Climate Home News](#) 2 September 2020

Vorrath S “Victoria seeks 600MW wind and solar to power hospitals, schools and trains” [Renew Economy](#) 2 September 2020

McCandlish S “Sheep farmers could profit more from returning their land to native trees and selling carbon 'credits' new report claims” [Yorkshire Post](#) 2 September 2020

Appunn K “Vattenfall wants to shut down its largest coal power station in Germany” [Clean Energy Wire](#) 4 September 2020

Ankel S “A 50-metre deep crater opened up on Siberia’s Arctic tundra - it could be because of climate change” [Business Insider](#) 5 September 2020

“India must give up coal in fight against climate change, UN chief says” [IOL](#) 29 August 2020

Loeak C “After coronavirus, countries should not forget the commitments they signed up to in the Paris Agreement” [The Independent](#) 2 September 2020

Baynes C “Global warming could make viruses harder to kill, study finds” [The Independent](#) 4 September 2020

“Trump finalises end of Obama-era rule to reduce pollution from coal-burning power plants” [The Independent](#) 1 September 2020

Boyle L “Blue denim jean microfibres found in remote Arctic” [The Independent](#) 2 September 2020

“Italy can be clean energy hub with hydrogen imports from Africa, study says” [Reuters](#) 5 September 2020

Abnett K “EU countries consider a climate target for every decade” [Reuters](#) 4 September 2020

Wehrmann B “Germany faces packed election year as voters weigh climate against pandemic recovery” [CleanEnergyWire](#) 4 September 2020

- **Environmental enforcement**

McDermott M “More than 20 states sue Trump administration over changes to environmental law” [The Jurist](#) 31 August 2020

- **Local government**

Stokstad E “It’s not just cars that make pollution. It’s the roads they drive on, too” [Science](#) 3 September 2020

Storer R “Asphalt roads make city air pollution worse in summer, study finds” [The Guardian](#) 2 September 2020

- **Mining**

“Bring back the bogs: Estonian volunteers get hands dirty in climate fight” [Reuters](#) 1 September 2020

Service RF “Industrial waste can turn planet-warming carbon dioxide into stone” [Science](#) 3 September 2020

- **Water, waste, oceans and chemicals**

“Interpol report alerts to sharp rise in plastic waste crime” [Interpol](#) 27 August 2020 [INECE Newsletter #61 (September 2020)]

Gheorghiu I “Massachusetts top court denies NextEra bid to block state's PPAs with Hydro-Québec” [Utility Dive](#) 4 September 2020

“Mauritius demands nearly \$34 million from Japan after oil spill” [IOL](#) 2 September 2020

Chapman C “Oil industry pumping £300bn into producing more plastic despite global moves to slash waste, report finds” [The Independent](#) 4 September 2020

Boyle L “Tribes and activists sue Trump's Environmental Protection Agency over weakened water rights” [The Independent](#) 2 September 2020

Njehia J “Kenyans fear 'ecological disaster' if two swollen lakes merge” [Reuters](#) 4 September 2020

Chakraborty D, Ondaatjie A and Pandya D “Tanker with two million barrels of oil ablaze off coast of Sri Lanka” [BusinessLive](#) 5 September 2020

- **Miscellaneous**

Aridi R “How democracies are now ‘backsliding’ in countries from Russia to the United States” [Science](#) 3 September 2020

“‘Let the planet rest’: Pope Francis calls for sustainable living and cancelling poor nations’ debt amid climate crisis” [The Independent](#) 1 September 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

University of the Free State: Post-doctoral research fellow: Public law

Closing date: 11 September 2020

More [information](#)

University of the Free State: Senior Assistant Officer

Closing date: 8 September 2020

More [information](#)

University of Pretoria: Professor / Associate Professor and Head of Department (One Post) in Education law

Closing date: 25 September 2020

More [information](#)

Lecturer: Law - DRU-A-FET - Kimberley

More [information](#)

Candidate Attorney: Northern Suburbs Cape Town

More [information](#)

University of Johannesburg Investigator

Closing date: 14 September 2020

More [information](#)

University of Free State: Lecturer / Senior Lecturer / Associate Professor / Professor Private Law

Closing date: 11 September 2020

More [information](#)

International

UNEP Programme Management Officer, P3

Closing date: 19 September 2020

More [information](#)

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[*Legalbrief Environmental*](#)

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

Discount available for ELA members.



A Public Benefit Organisation



ELA NEWSLETTER 37

11 September 2020

Level 2 Lockdown

Remember apply the precautionary principle – the virus is still with us!

Keep safe and rather keep contact via Facebook, the website, upcoming e-Conferences and our ELA Streaming Club.

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN 970 in GG 43696 of 9 September 2020 - Extension of timeframes for Directions Relating to National Environmental Management Permits and Licences ('Permitting Directions') published in GN 650 in GG 43412 of 5 June 2020
- GN R968 in GG 43693 of 7 September 2020 - Covid-19 Temporary Relief Scheme, 2020 published in GenN 215 in GG 43161 of 26 March 2020 amended by Direction Extending COVID-19 TERS Benefits for Certain Categories of Employees published with effect from 16 August 2020
- GN 969 in GG 43695 of 9 September 2020 - International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended

NOTICES

National Forests Act 84 of 1998 - GN 972 in GG 43699 of 10 September 2020 - Intention to declare the Grey Dell and Fort Grey forest areas as natural forest areas in terms of s. 7(2) of the Act - for comment

National Forests Act 84 of 1998 - GN 973 in GG 436700 of 10 September 2020 - Intention to declare the Fort Grey forest area as a controlled forest area in terms of s. 17 (2) of the Act - for comment

PROVINCES

Eastern Cape

Nature and Environmental Conservation Ordinance 19 of 1974 and Problem Animal Control Ordinance 26 of 1957 - PN 140 in PG 4442 of 7 September 2020 - Determination of hunting season, daily bag limits and hunting by the use of prohibited hunting methods, 2020

Nature Conservation Act 10 of 1987 (Ciskei) - PN 140 in *PG* 4442 of 7 September 2020
Hunting Seasons - Former Ciskei and Transkei

Disaster Management Act 57 of 2002 - PN 142 in *PG* 4442 of 7 September 2020
- Nelson Mandela Bay Metropolitan Municipality - Declaration of a Local State of Disaster in respect of drought and water shortages

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 19 in *PG* 2211 of 10 September 2020 - uMdoni and uMzumbi Local Municipality - Appointment of members to serve on the Joint Municipal Planning Tribunal

Western Cape

Draft Western Cape Land Use Planning Amendment Bill, 2020 - PN 91 in *PG* 8321 of 10 September 2020 – Bill and memorandum on the objects of the bill - for comment

CASES

International

[*New York v. National Highway Traffic Safety Administration*](#), Nos. 19-2395 & 19-2508 (2d Cir. Aug. 31, 2020)

“The Second Circuit Court of Appeals vacated the National Highway Traffic Safety Administration’s (NHTSA’s) reversal of a 2016 increase to the penalty for violations of fuel economy standards. In 2016, NHTSA increased the penalty pursuant to Federal Civil Penalties Inflation Adjustment Act Improvements Act (the Improvements Act) from \$5.50 to \$14 for every tenth of a mile per gallon below the applicable standard, multiplied by the number of cars in a manufacturer’s fleet. In 2019, NHTSA reversed the increase based on its conclusion that the Improvements Act did not apply to the fuel economy penalty and that, even if the Act did apply, the penalty’s “negative economic impact” was sufficient to support reversal. The Second Circuit rejected both rationales. First, the Second Circuit held that the penalty was a “civil monetary penalty” under the Improvements Act. NHTSA therefore was required to adjust the penalty rate in accordance with the Improvements Act’s requirements. Second, the court held that reconsideration and reversal of the increase based on economic consequences was untimely and therefore beyond NHTSA’s authority.”
[September 2020 Sabin Center for Climate Change Law Update]

[*County of San Mateo v. Chevron Corp.*](#), Nos. 18-15499 et al. (9th Cir. Aug. 25, 2020), Nos. 3:17-cv-04929 et al. (N.D. Cal. Aug. 20, 2020)

“In cases brought by San Mateo County and other California localities seeking climate change-related damages from fossil fuel companies, the Ninth Circuit granted the companies’ motion to stay the mandate after the Ninth Circuit affirmed a district court order remanding the cases to state court. The companies argued that a stay was warranted because their petition for writ of certiorari would raise the substantial question of whether a court of appeals may review any issue in a district court order granting

remand where removal was based in part on the federal-officer removal statute or whether, as the Ninth Circuit ruled, the appellate court's jurisdiction is limited to reviewing the district court's decision on the federal-officer removal issue. The companies also argued there was good cause for a stay because remand would result in six cases being returned to four different state courts for proceedings, potentially forcing the defendants "to incur substantial burden and expense." The Ninth Circuit stayed the mandate pending the Supreme Court's action on the certiorari petition and, if the Supreme Court grants the petition, pending disposition of the case. The companies also filed a motion in the district court to confirm that the court's orders staying issuance of the remand orders pending appeal would extend to the conclusion of any Supreme Court proceedings. On August 20, the court issued an order clarifying the stay was intended to remain in place until the mandate issued and that the companies could have requested an additional stay." [September 2020 Sabin Center for Climate Change Law Update]

[Center for Biological Diversity v. U.S. Army Corps of Engineers](#), No. 2:19-cv-14199 (S.D. Fla. Aug. 28, 2020)

"The federal district court for the Southern District of Florida held that the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service acted arbitrarily and capriciously when they failed to reinitiate consultation under the Endangered Species Act regarding the effects of red and blue-green algae on endangered West Indian Manatees in connection with releases from Lake Okeechobee under the Lake Okeechobee Regulation Schedule (LORS). The decision does not mention climate change, but the plaintiffs' allegations included that past analyses of LORS under the ESA "entirely failed to consider how climate change might affect LORS and harmful algal blooms." The plaintiffs also asserted a claim under the National Environmental Policy Act that was not a subject of this decision." [September 2020 Sabin Center for Climate Change Law Update]

[Center for Biological Diversity v. Bernhardt](#), No. 1:20-cv-00036 (D.D.C. Aug. 20, 2020)

"Federal defendants and the Center for Biological Diversity and two other plaintiff organizations agreed to a settlement pursuant to which the defendants will issue a proposed determination for the designation of critical habitat for six distinct population segments of the green sea turtle, a species whose habitat is threatened by sea level rise among other factors. The defendants must submit the proposed determination for publication in the Federal Register by June 30, 2023. The settlement resolved a lawsuit filed in January 2020." [September 2020 Sabin Center for Climate Change Law Update]

[WildEarth Guardians v. Bernhardt](#), No. 1:19-cv-00505 (D.N.M. Aug. 18, 2020)

"The federal district court for the District of New Mexico found that the U.S. Bureau of Land Management's (BLM's) National Environmental Policy Act (NEPA) review of three leases for oil and gas development across 68,232 acres in southeastern New Mexico was adequate. First, the court concluded that BLM satisfied NEPA's requirements for analysis of the leases'

cumulative climate change effects by placing the leases in a regional and national context, considering other development in the region, and assessing (in incorporated reports) “the global impact of its leases.” The court found that the conclusion that the leases’ impact was not significant was not arbitrary and capricious. Second, the court said BLM was not required to apply the Social Cost of Carbon protocol. In addition, the court found that BLM’s consideration of air quality impacts and water quantity and quality impacts was sufficient. The court also found that BLM reasonably determined that environmental impact statements were not necessary. Regarding the NEPA regulations’ inclusion of whether an action is “highly controversial” as a factor for significance, the court recognized “that climate change can elicit strong reactions.” The court noted, however, “that nothing in NEPA or its accompanying regulations mandates certain studies to account for this global problem. What should not be controversial is the Court’s role in holding agencies accountable to congressional mandates. If Congress requires BLM to perform specific climate change-based studies, then the Court will uphold them. That time has not yet arrived. At present, BLM states that extrapolating site-specific leasing emissions onto global climate models is too uncertain. Instead, it places emissions in the context of the locality and region. Such analysis meets NEPA’s requirements and is not controversial despite the charged nature of the topic.” The court denied the plaintiff’s request to declare BLM’s leasing process guidance unlawful but enjoined subsequent leases that did not allow for public participation, per the guidance.” [September 2020 Sabin Center for Climate Change Law Update]

East River Park Action v. City of New York, No. 151491/2020 (N.Y. Sup. Ct. Aug. 21, 2020)

‘A New York trial court rejected a public trust doctrine challenge to New York City’s resiliency plan for the Lower East Side that involved elevating an existing park on the East River by eight feet to serve as a barrier to coastal storms and flooding. In a decision announced from the bench, the court found that although the plan involved a “substantial intrusion,” the intrusion was for a park purpose and the public trust doctrine was not implicated. The court indicated that the record supported the conclusion “that without this plan we will likely not even have a park at all” due to climate change. The court also found that any “danger” of the City not restoring the entire park and using a portion for non-park purposes was “speculation.”’ [September 2020 Sabin Center for Climate Change Law Update]

EH v. Queensland Police Service; GS v. Queensland Police Service, [2020] QDC 205 (Queensland District Court)

“On August 28, 2020, the Queensland District Court overturned the convictions of two climate protesters for using “locking” devices to obstruct a railway to a coal mine, concluding that the convictions and sentences were overly harsh under the circumstances.

During the 2019–2020 bushfires in Australia, the two defendants travelled to Queensland to protest the proposed expansion of coal mines in the Bowen basin. The protesters blocked a railway line that provides access to a coal loading facility by using tubular steel attachment devices to ‘lock’

themselves to a 44-gallon drum filled with concrete, creating a device known as a “dragon’s den.” The devices can only be released voluntarily, or if someone else cuts the device, and cutting the device risks injury to the protesters. The defendants were charged with obstructing a railway; trespassing on a railway; using a dangerous attachment device to interfere with transport infrastructure; and contravening a direction or requirement. The dangerous attachment device offense was a new offense created by 2019 legislation that prohibits the use of devices such as “dragon dens”; the legislation was introduced in response to protests against coal mining and regarding climate change. The Acting Magistrate convicted and sentenced the defendants to three months imprisonment for that offense. Convictions were not recorded for the other offenses.

On appeal, the district court concluded that the device the protesters used fell within the definition of a “dragon’s den,” but that the gravity of the offense was minimal given the lack of evidence that any loss was suffered, that members of the public were burdened, or that there was violence or the threat of violence. The court further explained that the defendants “have the right to express their views and to protest against an activity to which they object subject only to such restrictions as are prescribed by law and are necessary in a democratic society for (amongst other legitimate aims) the prevention of disorder or crime or the protection of the rights and freedoms of others,” and that “the motive for the commission of the offen[s]e will often be relevant to the moral culpability of the offender, the weight to given to personal deterrence and it may affect the weight to be given to general deterrence.” The court accordingly allowed the appeal, vacated the convictions, and resentenced the defendants to a single fine of \$1,000.” [September 2020 Sabin Center for Climate Change Law Update]

[Deutsche Umwelthilfe v. Stralsund Mining Authority](#) (Supreme Administrative Court of the State of Mecklenburg-Western Pomerania)

“On July 27, 2020, the German environmental organization Deutsche Umwelthilfe (DUH) filed an action against the Stralsund Mining Authority in the supreme administrative court of the State of Mecklenburg-Western Pomerania. According to news reports, DUH seeks reconsideration of the Authority’s January 2018 decision to issue a permit for Russian-owned Gazprom’s Nord Stream 2 gas pipeline. DUH asks the Authority to review the permit in the context of related methane emissions, arguing that a significant upward revision of estimated methane emissions from gas production has occurred since the permit was granted. If the Authority does not agree to reconsider the permit, DUH requests that the German court suspend the permit and refer the case to the European Court of Justice.” [September 2020 Sabin Center for Climate Change Law Update]

PUBLICATIONS

International

Webb R “[How Agency Science Is Under Threat](#)” 2020 *Environmental Forum*, September/October

Webb Romany, Kurtz Lauren and Rosenthal Susan “[When Politics Trump Science: The Erosion of Science-Based Regulation](#)” 2020 *Environmental Law Reporter*, September

Greider Clara and Gerow Jordan “[Climate Recommendations for a New Democratic President and a New Congress: A Compilation](#)” (9 August 2020)

Marsh Kate, McKee Neely and Jordan Gerow “[Compilation of Recommendations to Reduce Greenhouse Gas Emissions in New York State](#)” (30 July 2020)

Sabin Center for Climate Change Law, and Emmett Institute on Climate Change & the Environment “[Summary: Combating Climate Change with Section 115 of the Clean Air Act](#)” (Institute for Policy Integrity June 2020)

The Commodity Futures Trading Commission’s Climate-Related Market Risk Subcommittee of the Market Risk Advisory Committee (MRAC) “[Managing Climate Risk in the U.S. Financial System](#)” (September 2020)

Raven PH *et al*; “The distribution of biodiversity richness in the tropics” 2020 6(37) [Science Advances](#) DOI: 10.1126/sciadv.abc6228

Yanyan Xu *et al* “Deconstructing laws of accessibility and facility distribution in cities” 2020 6(37) [Science Advances](#) DOI: 10.1126/sciadv.abb4112

Long EF, Chen MK and Rohla R “Political storms: Emergent partisan skepticism of hurricane risks” 2020 6(37) [Science Advances](#) DOI: 10.1126/sciadv.abb7906

Stone R “Indigenous Alaskans demand a voice in research on warming” 6(37) [Science Advances](#) DOI: 10.1126/science.369.6509.1284

Gündüzyeli E and Moore C “Just transition or just talk? 2020” ([Report](#) EMBER and Climate Action Network (CAN) September 2020)

IUCNAEL: Good Stories Movement

Advocate Tony Oposa of the Philippines is launching a Good Stories Movement to highlight the good work and positive developments in the world of environmental protection and sustainable living. The Good Stories Movement’s idea is to gain more support for the environmental movement. Put simply, if people see how positive change can happen, they are much more likely to support new initiatives. If you have good stories to share, please forward them to me. The IUCNAEL is gathering stories from around the world and would like to hear your good story! Current/recent stories preferred over past stories, but all good stories are welcome so please forward a summary, a link or a publication to this [email address](#).

2020 [Case Western Reserve Law Review](#) published with theme “The EPA at 50”

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Mail & Guardian](#): Carnie T “Move over Springboks and Wallabies — here come the springhaasies” 10 September 2020

[Mail & Guardian](#): Davis R “#BringBackKataza: How the Cape went ape over a single baboon” 10 September 2020

[allAfrica](#): “South Africa: An Interview with the Directors of Guttled - a Documentary on the Harmful Impacts of Industrial Fishing on Cape Town's Communities” 11 September 2020

[The Conversation](#): Mearns K “Wildlife tourism in southern Africa uses scarce water - we propose how much is enough” 10 September 2020

[The Independent](#): Ledger E “Inside the courtroom battle against the deadly rhino horn trade” 10 September 2020

- **Climate change and energy**

[Mail & Guardian](#): Maeko T “iGas accuses Gwede, CEF of interfering” 10 September 2020

[Engineering News](#): Arnoldi M CSP towers’ impact on birdlife lower than expected, can be reduced” 11 September 2020

[Engineering News](#): Arnoldi M “Nedbank wins Deal of the Year for its green renewable energy bond” 11 September 2020

[Engineering News](#): “South Africa's green hydrogen production potential” 10 September 2020

- **Local government**

[Spotlight](#): Xolo N “COVID-19: We can’t breathe – residents in South Durban say whilst caught between COVID-19 and polluted air” 2 September 2020

- **Water, waste, oceans and chemicals**

[Daily Maverick](#): Mohamed S “Kaalspruit River cleanup boosts revival of Gauteng watercourses” 10 September 2020

- **Miscellaneous**

[Mail & Guardian](#): Mtimbe L “How to rekindle rural development and push back rising poverty in SA” 11 September 2020

Africa

- **Biodiversity, protected areas and culture**

[The Guardian](#): Watts J “Africa's Great Green Wall just 4% complete halfway through schedule” 7 September 2020

[The Conversation](#): Humphrey GJ, Ziervogel G and Gillson L “Trusting local knowledge: the case of fire management in a Namibian park” 10 September 2020

[Engineering News](#): Campbell R “Female and male leopards hunt at different times of the day, research has discovered” 11 September 2020

- **Climate change and energy**

[Extractives Baraza](#): Okafor C “Nigeria Urged to Alter Petroleum Equalisation Fund” 8 September 2020

[Engineering News](#): Creamer T “IEA says green hydrogen is ‘ready for big time’ and lists Africa as key production site” 10 September 2020

- **Local government**

[ICLEI](#) Ecomobility Blog: “How cities in developing countries can address urban freight” 21 August 2020

[The Conversation](#): Ogbuokiri A and Manu E “Cities like Lagos need building designs that don’t just copy global styles” 13 September 2020

- **Mining**

[Extractives Baraza](#): Goodrich G “Angola Adapting a New Exploration Strategy” 8 September 2020

[Extractives Baraza](#): Ilize A “How Mining Sector Could Drive up Revenue” 8 September 2020

[Extractives Baraza](#): Ntali E “Zimbabwe Mining Workers Union Bemoan Increasing Workplace Accidents” 8 September 2020

[The Conversation](#): Okoi O “How corruption undermines peacebuilding in Nigeria’s oil region” 8 September 2020

- **Water, Oceans, waste and chemicals**

[allAfrica](#): “Sudan: Nile Levels Begin to Fall - Danger to Sudanese Public Still Acute” 10 September 2020

[The Conversation](#): Boswell R “Mauritius must protect vulnerable coastal communities from the effects of the oil spill” 10 September 2020

[BBC](#): Miller N “A new island of hope is arising from the Indian ocean” 10 September 2020

- **Miscellaneous**

[Natural Justice](#): Rowsell S “Human rights that are fundamental to environmental defence” 7 September 2020

[Lexology](#): “Africa Business in Brief - 06 SEP 2020” 6 September 2020

[Daily Maverick](#): Dongyu Q “The world needs international cooperation to avert a catastrophic food crisis” 10 September 2020

[The Conversation](#): D'Orsi C "Why Uganda has suspended hundreds of refugee aid agencies" 13 September 2020

[The Conversation](#): Coyne D and Haukeland S "How we're getting to the root of a global pest threatening potatoes in East Africa" 9 September 2020

International

- **Biodiversity, animal rights, national parks and culture**

[BBC](#): Briggs H "Wildlife in 'catastrophic decline' due to human destruction, scientists warn" 10 September 2020

[IISD](#) ENB: Convention on Biological Diversity: Special Virtual Sessions - 15-18 September 2020 | Virtual

[IISD](#) ENB: Biodiversity Summit - 30 September 2020 | Virtual

[Lexology](#): "USFWS Proposes Rule Codifying "Critical Habitat" Exclusion Analysis" [USA] 9 September 2020

[Lexology](#): "FWS Issues Additional Habitat Proposal" [USA] 8 September 2020

Thomas Reuters [Foundation](#): Zuker F "Brazil court decision sparks fears indigenous land could be handed to farmers" 7 September 2020

Thomas Reuters [Foundation](#): Glinski S "Made worse by tree loss, flooding forces migration in Afghanistan" 8 September 2020

[Lexology](#): "Measure What You Treasure - Biodiversity Net Gain Measurement and Enforcement" [UK] 8 September 2020

[Lexology](#): "Call of the (re)wild" [UK] 7 September 2020

Environmental Law Journal [Symposium](#): Environmental Law, the nation's oldest environmental law journal, hosted a symposium on *U.S. v. Oregon*, which may be the oldest ongoing federal case at over a half-century (older in fact than the journal), a pioneering decision concerning treaty fishing rights and natural resources co-management. The Symposium is available on the website.

[The Independent](#): Boyle L "'I will die in a quite different geological age': David Attenborough mourns that 'innumerable' connections with the natural world are broken" 10 September 2020

- **Climate change and energy**

Sabin Centre Climate Law [Blog](#): Weniger C "What could New York State's proposed environmental rights amendment achieve?" 1 September 2020

IUCN WCEL [Webinar](#): Climate Change in the Courts 20 July 2020

[ej](#): Neill P "UK faces a legal challenge over post-Brexit Emissions Trading Scheme" [Provided by Andrew Gilder ClimateLegal]

[Nature](#): "The Arctic is burning like never before — and that's bad news for climate change" 10 September 2020

[UChicago News](#): Lerner L “Climate change will ultimately cost humanity \$100,000 per ton of carbon, scientists estimate” 9 September 2020

[Lexology](#): “CFTC Report: Effectively Meeting the Challenge of Climate Change” [USA] 9 September 2020

[Lexology](#): “Maren Strandevold in NS Energy: Industry View: Energy Businesses Will Need to Adopt a New Approach to Reach EU Net-Zero Targets” [EU] 8 September 2020

[Lexology](#): “Young Australians bring climate claims against the Australian government” 8 September 2020

ClimateHome[News](#): “UK Climate Assembly calls for frequent flyer levy, private jet ban” 10 September 2020

[UtilityDive](#): Morehouse C “FERC details carbon pricing conference as groups blast renewables, consumer and women exclusions” 9 September 2020

[Lexology](#): “Spain is in the process of approving a full set of new regulations to achieve the goal of climate-neutrality by 2050” 4 September 2020

[Lexology](#): “A Comprehensive Roadmap for Europe’s Complex Energy Transition” 8 September 2020

[Lexology](#): “Update Energy Law: E-mobility” [Germany] 8 September 2020

[Science](#): Service RF “Energy ‘scavenger’ could turn waste heat from fridges and other devices into electricity” 11 September 2020

[Daily Maverick](#): Reddy S “Activist ‘university’ teaches ways of combating the environmental crisis – and it’s free” 10 September 2020

[The Independent](#): Cutts S “Climate crisis: Paint the roads white and give all houses grass roofs” 12 September 2020

[The Independent](#): Gregory A “Climate crisis: Motorway speed limits ‘to be cut to 60mph’ to reduce emissions and pollution” 12 September 2020

- **Environmental enforcement**

[Lexology](#): “Fifth Circuit Holds Insurer Had No Duty to Defend Criminal Claims Under Environmental Policy” [USA] 8 September 2020

[Lexology](#): “New Jersey’s Environmental Justice Legislation: The Focus on Major Source Permit Applications Might Impact Property Values” [USA] 8 September 2020

[Extractives Baraza](#): Carpenter S “Why the Oil Industry’s \$400 Billion Bet on Plastics Could Backfire” 8 September 2020

[IISD](#) SDG Knowledge Hub: Janssens C, Havlík P and Heyl A “Global Hunger and Trade under Global Warming” 8 September 2020

[IISD](#) SDG Knowledge Hub: “Adaptation Without Borders Shares Opportunities to Advance Climate-resilient Trade and Production” 8 September 2020

[IISD](#) SDG Knowledge Hub: “Ministerial Launches “Platform for Redesign” to Overcome Climate Change, COVID-19” 8 September 2020

- **Local government**

[Lexology](#): “Disaster Preparedness Toolkit” [USA] 9 September 2020

[ICLEI](#) City Blog: “Clean air – time to celebrate or accelerate?” 7 September 2020

[ICLEI](#): EcoLogisticx: Low carbon freight for sustainable cities

Thomas Reuters [Foundation](#): Chandran R “‘Self-sufficient’ Chinese city to reflect coronavirus lessons” 8 September 2020

Thomas Reuters [Foundation](#): Glinski S “Race against rain to save historical homes of Beirut” 4 September 2020

Thomas Reuters [Foundation](#): Banjeri A “Court order to clear Delhi’s railway slums will cause ‘great distress’, activists warn” 4 September 2020

Centre for Progressive Reform Connect the Dots [podcast](#): They Can’t Breathe Season 4 Episode 1

- **Mining**

[Extractives Baraza](#): Kennedy C “Total Ditches Environmentally Sensitive Brazilian Oil Blocks” 8 September 2020

[Extractives Baraza](#): Leotaud VR “Too Many Tools adds Risk to Mining Operations” 8 September 2020

[Extractives Baraza](#): “Pakistan Seeking Relief from \$5.8-Billion Fine Over Mining Lease” 8 September 2020

- **Water, oceans, waste and chemicals**

[IISD](#) ENB: 16th Meeting of the Chemical Review Committee (CRC-16) of the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade - 8-11 September 2020 | Online

[Lexology](#): “Neuregelung des Landeswassergesetzes in NRW” [New rules on the Water Acts of the “states/provinces” Germany] 10 September 2020

[Lexology](#): “Some Relief for Generators of Retail Hazardous Waste in Sight” [USA] 8 September 2020

[Lexology](#): “New steps towards Environmental Protection - Transforming household waste into fertilizer” [Rumania] 8 September 2020

[IISD](#) SDG Knowledge Hub: “Thinking the Unthinkable: Harnessing the Pandemic to Improve SDG 6 Capacity Development” 8 September 2020

[IISD](#) SDG Knowledge Hub: “Working Group Pushes Forward on Guidelines for Plastics, POPs, Incineration” 8 September 2020

[Lexology](#): “California Supreme Courts Holds Categorical Classification of Well Permits As Exclusively “Ministerial” Does Not Hold Water” 4 September 2020

- **Miscellaneous**

[Forbes](#): Sheperd M “The Science Behind Mysterious Orange Skies In California” 10 September 2020

[IISD](#) ENB: SDG Moment 18 September 2020 | Virtual

[IISD](#) ENB: 75th Anniversary of the UN - The Future We Want, the UN We Need: Reaffirming our Collective Commitment to Multilateralism - 21 September 2020 | Virtual

[Lexology](#): “ESG for Fund Managers: The EU Framework Regulation / the Taxonomy Regulation” [EU] 9 September 2020

[IISD](#) SDG Knowledge Hub: “Young People are Deeply Multilateral: Virtual Plenary Looks to UN’s Next 75 Years” 10 September 2020

[IISD](#) SDG Knowledge Hub: “Preparations Underway for Food Systems Summit” 10 September 2020

[CERN](#): “CERN publishes its first public Environment Report” 9 September 2020

[BBC Future](#): Barss P “The weird space that lies outside our Solar System” 9 September 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club – Save the date

Last and final event for 2020: 28 October 2020

More information will follow later

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- **Pretoria**

Date: 29 September to 1 October 2020

Venue: Oppiehoek Guesthouse, corner of Malan and Blake Street, Riviera Pretoria.

The cut-off date for Early Bird discounts is 18 August 2020, the last date for Registration is 8 September 2020),

- **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenvue Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

Water Research Commission: Upcoming webinars for August-September 2020

- [Dialogue: Water Quality threatens Eco-Tourism: Save our Heritage](#)
Date: 22 September 2020
[Registration](#)

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

Webber Wentzel: The Protection of Personal Information Act (POPIA) Webinar Series

The Protection of Personal Information Act (POPIA) regulates all organisations who process personal information - information about employees, customers, suppliers and those who outsource key processing activities, share data offshore, or engage in direct marketing. Organisations have until 30 June 2021 to comply with the requirements set out in POPIA. Non-compliance can result in significant penalties - up to 10 years' imprisonment and/or ZAR 10 million in administrative fines and civil claims and reputational damage.

To help organisations with POPIA readiness, we are hosting a three part webinar series:

Part 1: POPIA - Unpacking the Act, the issue of consent and the role and duties of the Data Information Officer

Date: Monday, 21 September 2020

Time: 11h00 to 12h00

Webber Wentzel speakers: Peter Grealy, Nozipho Mngomezulu

Part 2: POPIA - Managing direct marketing, suppliers, customers and employees. Key issues related to information flows and GDPR versus POPIA compliance

Date: Monday, 28 September 2020

Time: 11h00 to 12h00

Webber Wentzel speakers: Pamela Stein, Karl Blom, Wendy Tembedza

Including insights from Dr. Magdalena Góralczyk, a Partner at [White Label Consultancy](#), privacy professionals who have been involved directly in the management and solutioning of complex data protection and governance matters across the globe.

Part 3: POPIA - Security, AI, breaches, managing the risks and engaging the regulator, crisis and reputation management

Date: Wednesday, 7 October 2020

Time: 11h00 to 12h00

Speakers: Dario Milo, Pooja Dela, Lisa Swaine

We have produced a [POPIA infographic](#) which sets out an overview of the instances in which POPIA will apply to processing activities and the obligations which come with POPIA. We hope that you find these useful.

More [information](#)

University of Johannesburg, Faculty of Law: LLM in International Law

Public International Law is a dynamic, constantly evolving field of the law, and increasingly useful and relevant. The way we practice many areas of the law domestically is impacted by the constitutional obligation to consider international law when interpreting the Bill of Rights. Whether you are interested in the response to armed conflict and international crimes, the protection of human rights, or the regulation of environmental crises, the LLM in International Law offered by the Faculty of Law at the University of Johannesburg offers you a chance to specialise in this field.

The lecturing style is interactive, ensuring close contact with the lecturer and experts from the legal field. Students also have access to a superb library and electronic resources. 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 LLM degree by coursework is also offered in the following fields: Banking Law; Commercial Law; Corporate Law; Cyber Law; Drafting and Interpretation of Contracts; Human Rights; Intellectual Property; International Commercial Law; Labour Law and Tax Law.

More info: [Email](#) / [Website](#)

PhD in Law and Development at the North-West University

The PhD in Law and Development is an interdisciplinary and multi-disciplinary programme designed for students with no legal background (possessing a Master of Law is not a pre-requisite for admission) interested in pursuing research that touches on law and development. Unlike the LLD where research methodology may be purely qualitative, this offering is aimed, in part, to develop the research skills of students, especially on the use of both qualitative and quantitative research design and methods. Applicants in the past have come from both academia and practice, predominantly from the various social sciences fields.

As part of the application process, a concept note that sets out the title of the research; research question; background and problem statement; aim and objectives and methodology of the intended research should be submitted. In addition, if an applicant has identified a potential supervisor, or has reached an informal agreement to be supervised by a faculty, that should be indicated on the

application form. Admission into the programme depends on, amongst other things, the availability of a faculty to provide supervision.

Applications for the 2021 are currently open, and close on 31 October 2020.

Applications are done online. Incomplete applications will be rejected. For any further inquiries, or assistance with any challenges related to the online application, please, contact the postgraduate office via [email](#) or call them on 018 299 1952.

International

Copenhagen Centre on Energy Efficiency Stakeholder Coordination in District Energy Systems. The Case of Combined Cooling, Heating, Power “CCHP” in Zhuhai

Date: 14 September 2020

Time: 09:00 AM CEST

[Registration](#)

IUCN Webinar Series: Transboundary Water Governance for Water Security

- [Seminar 5: Water Governance in Southern Africa](#)

Date: 16 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT: 15pm SAT

- [Seminar 6: Transboundary Water Governance: Case Studies](#)

Date: 23 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT

- [Seminar 7: Transboundary Water Governance Panel](#)

Date: 30 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT

Registration and more information [here](#)

INECE Webinar Series on Community and Citizen Science for Environmental Compliance and Enforcement

Date: 25 September 2020

Time: 10:00 AM in Eastern Time (US and Canada)

[Registration](#)

Edx MOOC: Governance for Transboundary Freshwater Security (6 week course)

Free

More [information](#)

Chancery Lane Project: Rewiring Law to Fight Climate Change

Wednesday, September 23

Time: 8–9:30 AM (New York City time zone)

The New York launch of a collaboration of lawyers from around the world to develop new contracts and model laws to help fight climate change.

More [information](#)

Register [here](#)

UNECE Online Training Workshop on the Guidelines and Best Practices for MSMEs in delivering energy-efficient products and in providing renewable energy equipment

Monday, 14 September 2020

Time: 14:00-15:30 CET

More [information](#)

ICLEI Daring Cities 2020 online

7 - 28 October 2020

[Programme](#)

[Registration](#)

AfricanMobilityMonth 2020 Re-imagining the future of urban mobility in African Cities

Date: 18 September to 18 October 2020

More [information](#)

Resilience and adaptation to a new mobility normal FIA Smart Cities eForum - Asia-Pacific

Date: 23 September 2020

Time: 9.00 - 11.00 CET

MOBILIZE Virtual 2020 Online

Dates: 26, 28, 30 October 2020

More [information](#)

12th Natural Resources Symposium online: Natural Resources at a Crossroads

How 2020 has Affected Natural Resources Law and Policy and Highlighted the Importance of Private/Public Collaborations to Advance Shared Objectives

Part 1: 17 September 2020

Part II: Fall 2021 Washington DC

[Website](#) and [Registration](#)

World Commission on Environmental Law Webinars

WCEL has launched a Webinar Series featuring environmental law and policy experts from around the world. Previous webinars can also be found on the [website](#).

NEWS

National

- **Biodiversity, protected areas and animal rights**

“Trio nabbed with endangered pangolin in North West” [IOL](#) 12 September 2020

- **Climate change and energy**

Yeld J “Creecy upholds appeal against giant West Coast wind farm” [GroundUp](#) 8 September 2020

Kgosana C “Fuel gangs fill up for free” [BusinessLive](#) 13 September 2020

Arnoldi M “Cabinet approves establishment of Presidential Climate Change Coordinating Commission” [Engineering News](#) 10 September 2020

Energy: Nersa agrees with IPP procurement

“Minister of Mineral Resources & Energy Gwede Mantashe has welcomed the decision by SA’s energy regulator to concur with his decision to procure another 11 813MW from independent power producers. The National Energy Regulator of SA’s decision, which arose from a determination under the Electricity Regulation Act by Mantashe, edges the process of procurement of new energy slowly forwards as the country experiences crippling power cuts due to electricity supply constraints, says a Business Day report. ‘This is another milestone that gives effect to commitments made by President Cyril Ramaphosa in his 2020 State of the Nation address to increase generation capacity, and ensure security of energy supply to society rapidly and significantly,’ Mantashe said in a statement. It is now up to the department to issue a request for proposals (RFP) from potential providers to begin the bidding process. The department hopes that this additional capacity will become available by 2022. However, timelines are tight as the process of bidding and financial contracting typically takes at least 18 months after the RFP is issued and must be in place before construction can begin.

More on this in POLICY WATCH section (below)”

Full Business Day report (subscription needed) Legalbrief 11 September 2020

Energy: Nersa approves more new generation capacity

“In the absence of an official statement from Mineral Resources & Energy Minister Gwede Mantashe, it is not clear which determination for new energy generation capacity was recently endorsed by the National Energy Regulator of SA (Nersa). It apparently entails the second concurrence notice to be issued this year – reportedly involving an additional ‘11 813 MW’ (Engineering News). A determination signed by the Minister in February, endorsed by Nersa in May and eventually gazetted in July was expressly for the procurement of 2 000 MW.”

Read full report in Legalbrief Policy Watch 11 September 2020

Steyn L “IDC and DBSA back Mashudu Ramano’s fuel cell energy firm” [BusinessLive](#) 7 September 2020

Slater D “Locally produced hot water innovation reduces household energy costs” [Mining Weekly](#) 11 September 2020

“Renewable-energy masterplan process advancing” [Engineering News](#) 11 September 2020

- **Environmental enforcement**

Covid-19 crisis: Environmental authorisation processes resume

“Parties affected by environmental management authorisation processes and procedures suspended during the Covid-19 State of Disaster and activities resumed under lockdown levels three and two have 30 days to take ‘the appropriate actions and steps’. According to the ministerial directive announcing this yesterday, these may include applying for more time to do so. Reference is made to sub-directions in a directive issued on 31 March and since repealed – among other things affecting the export of waste tyres and the remediation of contaminated land.”

Read full report in Legalbrief Policy Watch 10 September 2020

- **Local government**

Mutandiro K “ANC infighting blamed for halted Ekurhuleni water project” [GroundUp](#) 11 September 2020

Hazell K and Swartbooi N “Spatial injustice remains at core of rising inequality” [GroundUp](#) 10 September 2020

Linde D “Understanding the groundbreaking Tafelberg judgment” [GroundUp](#) 9 September 2020

Luhanga P “Showdown in Dunoon over toilet companies” [GroundUp](#) 8 September 2020

Bega S “‘Day and night we smell it’: Sewage spills make life hell for Deneysville residents” [IOL](#) 12 September 2020

Nombembe P “School is built on leaky sewer, not wetland, says Gauteng government” [TimesLive](#) 12 September 2020

- **Local government: Expensive water trucking contract slammed**

“A Limpopo construction company is pocketing nearly R4m every month from the Sekhukhune district municipality in Groblersdal, for transporting water from De Hoop Dam to the Jane-Furse hospital. A report in The Citizen notes that this in spite of the fact that the institution is currently faced with serious financial constraints, after thieves somehow managed to make R19m disappear from the municipality’s coffers two years ago. The company, Ngoato le Nareadi Construction, was allegedly appointed by the municipality in August 2019 to tanker clean water to the Jane Furse hospital for 12 months. The company’s contract will lapse this month, prompting opposition parties, the Bolsheviks and the DA to try to halt the renewal thereof. Sekhukhune is regarded as one of the poorest regions in the country. The Bolsheviks’ leader Seun Mogotji said municipal management knew very well that the contract was going to lapse, but did nothing to plan ahead. He said the municipality must seek assistance from the Department of Water Affairs to provide them with two trucks that would fetch water from the municipal source to the hospital in an effort to save money.”

Full report in The Citizen Legalbrief 11 September 2020

- **Mining**

Ritchie S and Dennehy B “Contract mining clarification muddies the water” [BizCommunity](#) 8 September 2020

Hasenfuss M “Corporate spat over the carcass of Mine Restoration Investments” [BusinessLive](#) 10 September 2020

- **Water, oceans, waste and chemicals**

Shange N “SIU closes taps to former water board CEO's pension over 'failed' project” [TimesLive](#) 9 September 2020 [Legalbrief Forensic 10 September 2020]

Muller M “End of impasse over Polihali Dam construction bodes well for Gauteng” [BusinessDay](#) 8 September 2020 [Legalbrief 10 September 2020]

[Recharge](#): Radowitz B “World's largest hydro dam 'could send cheap green hydrogen from Congo to Germany’” 8 September 2020

“After the drought: Cape Town’s gushing water” [GroundUp](#) 7 September 2020

Mbovane T and Chirume J “Day Zero in water stricken Mandela Bay” [GroundUp](#) 7 September 2020

- **Miscellaneous**

Schütz E “Protesters call for Moloto Rail Corridor to be built” [GroundUp](#) 12 September 2020

Bizos G “An ethical barometer: Advocate George Bizos” [Mail & Guardian](#) 10 September 2020

Bulbulia T “JSE introduces ETFs to help investors meet ESG objectives” [Engineering News](#) 11 September 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Greenfield P “Up to 48 species saved from extinction by conservation efforts, study finds” [The Guardian](#) 10 September 2020

Carlisle M “First Clone of Endangered Przewalski’s Horse Born in Conservation Effort to Save the Species” [Time](#) 6 September 2020

Kuyedzwa C “Update | Under pressure, Zimbabwe cancels mining concessions in national parks” [fin24](#) 8 September 2020 – read also [TimesLive](#)

Bega S “More creatures susceptible to impacts of climate change than decades ago-study” [IOL](#) 13 September 2020

“African organisations join TUSK in fundraising effort to protect wildlife” [BizCommunity](#) 8 September 2020

Smith A “California wildfires: shocking time lapse footage from satellite shows spread of deadly blaze” [The Independent](#) 12 September 2020

Boyle L “West coast wildfire smoke spreads over 2,000 miles to Hawaii and Ohio” [The Independent](#) 12 September 2020

Jose R “Koala habitation causing political dispute in Australia as Nationals take on Liberals” [The Independent](#) 11 September 2020

Cockburn H and Boyle L “Natural world being destroyed at rate ‘never seen before’, WWF warns as report reveals catastrophic decline of global wildlife” [The Independent](#) 10 September 2020

Greenfield P “Up to 48 species saved from extinction by conservation efforts, study finds” [The Independent](#) 10 September 2020

Beament E “Government approves badger culls in 11 new areas in ‘staggering U-turn’” [The Independent](#) 8 September 2020

Smillie S “Scientists baffled by orcas ramming sailing boats near Spain and Portugal” [The Guardian](#) 13 September 2020

“More than 25 apes trafficked from Congo recovered in Zimbabwe” [The Guardian](#) 12 September 2020

Noor P “Return of Myanmar’s smiling turtle is reason to be cheerful” [The Guardian](#) 9 September 2020

Taylor A “‘Irreversible damage’: Is a tunnel under the Blue Mountains the solution to traffic woes?” [Sydney Morning Herald](#) 13 September 2020

Kinver M “Citizen science taps into public’s love of trees” [BBC](#) 11 September 2020

“Plastic pollution: Crabbing recycling scheme aims to cut waste” [BBC](#) 12 September 2020

- **Climate change and energy**

“Key MEPs raise 2030 climate ambition bar, setting up EU showdown on tougher targets” [Carbon Pulse](#) 11 September 2020

“To align with tougher EU climate goals, Germany to raise domestic carbon prices a second time” [Carbon Pulse](#) 11 September 2020

“EU to press China to toughen climate targets, halt new coal plants” [Carbon Pulse](#) 11 September 2020

“Thirteen global airlines commit to 2050 net zero emissions” [Carbon Pulse](#) 11 September 2020

“Asian multilateral bank promises to end coal-related financing” [Climate Home News](#) 11 September 2020

Norton K “Veto likely as House sends Global Warming Solutions Act to governor’s desk” [Vermont USA] [Support VTDigger](#) 9 September 2020

“Greece to spend five billion euros to phase out coal by 2028” [Reuters](#) 9 September 2020

Neill P “UK faces a legal challenge over post-Brexit Emissions Trading Scheme” [ej](#) 9 September 2020

“California’s Wildfire CO₂ Tops 60 Million Tons, Dwarfing Other Sources” [insideEPA/climate](#) 10 September 2020

“Green transition: Global CO₂ emissions continue to rise but EU bucks global trend” *EU Commission* [Daily News](#) 9 September 2020

“Poland’s climate ministry plans faster shift from coal power” [Carbon Pulse](#) 8 September 2020

“Aviation industry targets hydrogen in sector’s long-term decarbonisation strategy” [Carbon Pulse](#) 8 September 2020

Groom N and Volcovici V “U.S. utilities say Biden plan to cut CO₂ hinges on breakthroughs” [Reuters](#) 8 September 2020

Boyle L “Climate crisis could displace 1.2 billion people in the next 30 years” [The Independent](#) 11 September 2020

Boyle L “Emissions have already surged back to pre-pandemic levels, UN report finds” [The Independent](#) 10 September 2020

Fuller G “Pollutionwatch: air pollution in China falling, study shows” [The Guardian](#) 10 September 2020

Kelly S and Renshaw J “Trump decision to cut refiner biofuel waivers followed pressure from farm states: sources” [Reuters](#) 11 September 2020

Abnett K “World's largest carbon market faces revamp under draft EU plan” [Reuters](#) 12 September 2020

Wehrmann B “German economy minister calls for 'historic' consensus on climate neutrality” [CleanEnergyWire](#) 11 September 2020

- **Local government**

Ndenze B “Section 139 interventions sometimes used to settle political scores, NCOP hears” [EWN](#) 10 September 2020 [Legalbrief 11 September 2020]

“Important Updates for the Lee Highway Replanning Process” [Lexology](#) 8 September 2020

- **Mining**

Morton A “Australia's untapped gas reserves could unleash three years' worth of global emissions” [The Guardian](#) 10 September 2020

“At least 50 killed in collapsed gold mine in east Congo –NGO” [News24](#) 11 September 2020

Paul S “Rio Tinto could look further afield for new chiefs” [BusinessLive](#) 11 September 2020

Allam L, Butler B and Wahlquist C “Rio Tinto: why the sacking of three executives isn't enough for mining investors” [The Guardian](#) 11 September 2020

Ambrose J “Campaigners start legal challenge to UK's \$1bn grant to Mozambique gas project” [The Guardian](#) 7 September 2020

Wehrmann B “Villagers fearing resettlement file constitutional complaint against RWE coal mine” [Germany] [CleanEnergyWire](#) 10 September 2020

Williams K “Australia students launch suit against environment minister in opposition to proposed coal mine” [The Jurist](#) 10 September 2020

“Venezuela's PDVSA confirms oil leak into sea near refinery complex” [Reuters](#) 13 September 2020

- **Water, waste, oceans and chemicals**

Gockelen-Kozlowski T “Government boots up sustainable ICT strategy with new net zero obligation for suppliers” [BusinessGreen](#) 11 September 2020

“First Blue Carbon Conservation Methodology Expected to Scale Up Finance for Coastal Restoration & Conservation Activities” [VERRA](#) 9 September 2020

Lusamba J “US Court of Appeals clears US chemical manufacturer of liability for mustard gas used in Gulf War” [The Jurist](#) 10 September 2020

Harvey F “Toxic pesticides banned for EU use exported from UK” [The Guardian](#) 10 September 2020

Readfearn G “South Australia's ban on single-use plastic cutlery and straws hailed as 'historic'” [The Guardian](#) 10 September 2020

Fellner C “Residents at war with EPA over toxic waste dump and a mystery red truck” [Sydney Morning Herald](#) 13 September 2020

Parkinson J “Coronavirus: Disposable masks 'causing enormous plastic waste'” [BBC](#) 13 September 2020

Harrabin R “Pringles tube tries to wake from 'recycling nightmare'” [BBC](#) 11 September 2020

- **Miscellaneous**

Gohd C “Scientists spot a triple-star system shredding its planet-forming disk in a cosmic first” [Space.com](#) 3 September 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

National Wetland Awards 2020

Closing date for nominations: 25 September 2020

More [information](#)

UNISA: School of Law - Various academic positions

Closing date: 25 September 2020

More [information](#)

UNISA: CL: School of Criminal Justice Various Academic Positions

Closing date: 25 September 2020

More [information](#)

The Water Research, Development, and Innovation (RDI) Roadmap Postgraduate Student Support Call

The Water RDI Roadmap Implementation Unit provides funding to support postgraduate students that are aligned to the priority themes/clusters of the Water RDI Roadmap.

We invite WRC Projects Leaders to apply on behalf of postgraduate students who they would like to link to their active WRC projects.

Selected students will be supported from January 2021 onwards.

Follow this [link](#) for the online application form.

Closing date for applications: 11 October 2020.

Cullinan & Associates: Consultant. Cape Town Western Cape

Are you an energetic, entrepreneurial attorney (preferably with your own clients) who would like to be part of a well-established specialist law firm and take home most of what you bill?

Cullinans is a specialist environmental and green business law firm based in Cape Town that has been in practice for 23 years. We value excellence, ethics and innovation. We are looking for lawyers who offer legal services that are compatible with the firm's core expertise (see [website](#)), can work independently, and would like to become part of the firm's management team. We are particularly interested in lawyers with experience/expertise relevant to business start-ups, renewable energy, food, public procurement and cannabis enterprises but are open to considering other ideas compatible with our brand.

Please [email](#) CV and covering letter.

University of the Free State: Post-doctoral research fellow: Public law

Closing date: 11 September 2020

More [information](#)

University of Free State: Lecturer / Senior Lecturer / Associate Professor / Professor Private Law

Closing date: 11 September 2020

More [information](#)

University of the Free State: Deputy Director Unit for Institutional Change and Social Justice Gender Equality and Anti-discrimination Office

Closing date: 25 September 2020

More [information](#)

University of Venda: Senior Lecturer Labour Law, Tax law, ADR

Closing date: 16 October 2020

More [information](#)

The Department of Communications and Digital Technologies: Legal, Human Resource Management, Compliance and Fraud Prevention Pretoria, Gauteng

Closing date: 18 September 2020

More [information](#)

University of the Witwatersrand Mandela Institute: Senior Researcher

Closing date: 30 September 2020

More [information](#)

Recruitment: Head of Faculty - Law

More [information](#)

Anglo American: Intern SHE (12 Months)

Closing date: 24 September 2020

More [information](#)

Cognia Law - Commercial / Corporate Lawyers – Oil & Gas and Renewables

Cape Town, Western Cape

More [information](#)

Werkmans Candidate Attorneys 2023

Law students: activate your legal career with us. Applications for our 2023 candidate attorney programme will close on 30 September 2020. To apply go to werkman.com/graduates

MANCOSA - Teaching and Learning Coordinator - Durban

More [information](#)

Varsity College: Research Manager - Waterfall National Office (Midrand) - N/A10880

Closing date: 18 September 2020

More [information](#)

International

Natural Justice: Environmental Justice Legal Fellowship, Kenya

Fluency in English and Kiswahili

Applications should be submitted via [email](#) to with 'EJ Legal Fellowship' as the subject line Applications must include:

1) A cover letter that indicates:

a) why you believe environmental justice is important in Kenya and

b) why you're interested in the EJ Legal Fellowship;

2) A detailed CV with three references; and 3) One sample of your written work (for example, articles or research reports written by you (not jointly written or edited by other people)

Applications Deadline All applications to be sent on or before Thursday 17 September 2020 at 5:30pm East African Time.

University of California Santa Barbara

[Researcher in Environmental Science and Management](#)

University of California Santa Barbara Office of Research

[Postdoctoral Scholar in Energy and Environment Transitions](#)

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.



A Public Benefit Organisation



ELA NEWSLETTER 38

18 September 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere!

Keep safe and keep contact via Facebook, the website, upcoming workshops and our ELA Streaming Club.

The Human Rights Council adopted a resolution recognising the human right to a healthy environment. We are looking for signatories from **civil society groups**. Please consider sharing this widely. Here is the link to the text and the current list of signatories.

We are particularly interested in groups in the Global South or in countries currently on the Human Rights Council. If you have any questions, please contact [Rebecca Bratspies](#) of Cuny Law School.

Complete [form](#) should your organisation want to join the list.

BILLS

Agricultural Produce Agents Amendment Bill, 2020 GN 1006 in GG 43723 of 18 September 2020 - Intention to introduce and explanatory summary - for comment

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN 998 in GG 43719 of 18 September 2020 - Determination of Alert Levels and Hotspots
- GN 992 in GG 43709 of 11 September 2020 - Directions for all courts, court precincts and justice service points
- GN 996 in GG 43716 of 16 September 2020 - Directions on measures to address, prevent and combat the spread of COVID-19 in the public transport services, 2020 published in GN 801 in GG 43538 of 22 July 2020 amended
- Gen Notice 503 in GG 43715 of 15 September 2020 - Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published in Gen Notice 343 in GG 43465 of 23 June 2020 amended

- GN 997 in GG 43717 of 16 September 2020 - International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended
- GN 993 in GG 43710 of 11 September 2020 - Social Development Directions published and Directions regarding the phased return of children to early childhood development programmes and partial care facilities published in GN 762 in GG 43520 of 10 July 2020 withdrawn

NOTICES

Disaster Management Act 57 of 2002 - GN 999 in GG 43725 of 18 September 2020 - Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended and Determination of Alert Level 2 published in GN 891 in GG 43620 of 17 August 2020 withdrawn with effect from 00h01 on 21 September 2020

Disaster Management Act 57 of 2002 - GN 995 in GG 43713 of 14 September 2020 - Declaration of a national state of disaster published in GN 313 in GG 43096 of 15 March 2020 extended to 15 October 2020

Electronic Communications Act 36 of 2005 – Gen Notice 500 in GG 43707 of 11 September 2020 - Independent Communications Authority of South Africa (ICASA): ICT COVID-19 National Disaster Second Amendment Regulations published and Gen Notice 238 in GG 43207 of 6 April 2020 amended

Department of Environment, Forestry and Fisheries - GN 989 in GG 43706 of 11 September 2020 - Draft 7th National Greenhouse Gas Inventory Report for the Republic of South Africa – for comment

National Road Traffic Act 93 of 1996 - GN 991 in GG 43708 of 11 September 2020 - Approved Dangerous Goods Training Bodies published in terms of reg. 280 (1) of the National Road Traffic Act

National Water Act 36 of 1998 - GN 1008 in GG 43726 of 18 September 2020 - Determination of classes of water resources and resource quality objectives for the Breede-Gouritz Water Management Area

National Water Act 36 of 1998 - GN 1008 in GG 43726 of 18 September 2020- Proposed reserve determination for water resources of the Mokolo and Matlabas catchments - for comment

National Water Act 36 of 1998 - GN 1010 in GG 43726 of 18 September 2020 - Extension and alignment of compliance period on the instruction to install water measuring devices for water taken for irrigation purposes in terms of GN 141 in GG 41456 of 23 February 2018 (water users within water management institutions) and GN 34 in GG 42956 of 17 January 2020 (water users who are not members of water management institutions)

National Environmental Management: Biodiversity Act 10 of 2004 - GN 1003 in GG 43726 of 18 September 2020 - Alien and Invasive Species Lists, 2020 published and any Alien and Invasive Species lists published under the Act including GN 864 in GG 40166 of 29 July 2016 repealed and replaced with effect from 30 days from date of publication in the *Gazette*

Broad-Based Black Economic Empowerment Act 53 of 2003 - GN 499 in GG 43702 of 11 September 2020 - Memorandum of understanding between the Companies Tribunal and the Broad-Based Black Economic Empowerment Commission

National Environmental Management: Air Quality Act 39 of 2004 - GN R994 in GG 43712 of 11 September 2020 - National Greenhouse Gas Emissions Reporting Regulations, 2016 published in Gen Notice 275 in GG 40762 of 3 April 2017 amended

PROVINCES

Eastern Cape

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 174 in PG 4445 of 14 September 2020 - Buffalo City Metropolitan Municipality - Draft Local Spatial Development Framework for Settlersway (LSDF) – for comment

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 175 in PG 4445 of 14 September 2020 - Buffalo City Metropolitan Municipality - Draft Municipal Spatial Development Framework (SDF)

Gauteng

Nature Conservation Ordinance 12 of 1983 – Gen Notice 677 in PG 166 of 11 September 2020: Open Season: Ordinary Game

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20464 in PG 8323 of 18 September 2020 - Bergrivier Local Municipality – Revision of the By-Law on Municipal Land Use Planning

CASES

National

Kwadukuza Municipality v McDonalds South Africa and Others (D3430/2020) [2020] [ZAKZDHC](#) 45 (18 September 2020)

Occupation only possible after certificate is issued in terms of section 14 of the National Building Regulations and Building Standards Act 103 of 1977

Baleni and Others v Regional Manager Eastern Cape Department of Mineral Resources and Others (96628/2015) [2020] ZAGPPHC 485 (11 September 2020)

Public participation – right of access to information

[1] The first applicant is the iNkosana and head of the Umgungundlovu community Council, which was established in terms of customary law. She brings this application in her personal capacity and as a representative of the community as well as in the public interest. The other applicants are members of the community. The standing of the first applicant to launch

these proceedings was put to question by the fifth respondent ('TEM') in its answering affidavit, however this was not pursued in oral submissions.

[2] The applicants live and work on the land upon which minerals (titanium) was discovered. TEM made an application for a mining right in respect of these minerals. The applicants are interested and affected persons as contemplated in the Mineral and Petroleum Resources Development Act, No.28 of 2002 ('the MPRDA'). TEM accept this fact and has not raised any issues with regard to their rights in this regard.

[3] The application concerns the rights of the applicants to access the mining right application of TEM made in terms of section 22 of the MPRDA over land which they reside and work in.

[4] It is accepted by all parties that the applicants are entitled to access the documents for the proper exercise of their right to comment on and to object if they wish to and to participate in the application processes contemplated in the MPRDA.

[84] It is clear from a reading of all the relevant statutory provisions that persons in the position of the applicants cannot be treated like ordinary members of the public. In terms of the MPRDA, every South African is a beneficial owner of all minerals and have a right to access information for many reasons. However, the information that is in the mining right application is required for a specific purpose, by persons or group of persons in the position of the applicants. This purpose, is what makes the request for the information during the application process different from for example when it is required to determine whether, post facto the process, certain requirements have been met or to collate statistics with a view to influence policy changes.

[86] The applicants, unlike the general public, will be affected by the environmental impacts of the mining operations and other than this, the MRPDA gives them specific socioeconomic rights in relation to these applications.

[87] This matter is not about the deficiencies in the PAIA manual of the DMR except for the complaint that the process is lengthy and following it may result in a failure to comment or object timeously. It also transpired during oral argument that there are documents that applicants would be entitled to but which do not form part of the category under 'automatic access'.

[88] What should be noted though is the fact that the process contemplated in the PAIA manual is as though the DMR does not know the identity of the interested and affected persons, hence the mechanical notices referred to in Regulation 3, which are posted in its own offices and publication in newspapers.

[89] Meaningful consultation entails discussion of ideas on an equal footing, considering the advantages and disadvantages of each course and making concessions where necessary.

[90] In terms of the definition of 'owner', they are in an equal position with the state. In fact, their inputs to the mining application are intended to inform the Minister whether the application meets all the prescribed requirements in in terms of the objects of the MPRDA and the necessary consultation processes.

[117] I make the following order;

[117.1] It is declared that interested and affected parties as contemplated by the Mineral and Petroleum Resources Development Act 28 of 2002 (“the MPRDA”) are entitled by sections 10(1) and 22(4) of the MPRDA, on request to the relevant Regional Manager of the Department of Mineral Resources (“the Department”) , to be furnished with a copy of an application for a mining right as contemplated by section 22 of the MPRDA, subject to the right of the applicant and/or the Department to redact financially sensitive aspects of the application.

PUBLICATIONS

National

Addaney, M and Jegede AO (eds) *Human Rights and the Environment under African Union Law* (2020, [Springer](#) Publishing)

Ashukem J-C "Connecting human rights and the environment in Cameroon: Successes, limitations and prospects" in Addaney M and Jegede AO (eds) *Human Rights and the Environment under African Union Law* (2020, Springer Publishing) 315-348 https://doi.org/10.1007/978-3-030-46523-0_13

Jegede AO “Should a Human Right to a Safe Climate Be Recognized Under the AU Human Rights System?” in Addaney, M and Jegede AO (eds) *Human Rights and the Environment under African Union Law* (2020, [Springer](#) Publishing)

Boshoff E “Women’s Environmental Human Rights in Africa with Reflections on Key Provisions of the Maputo Protocol” in Addaney, M and Jegede AO (eds) *Human Rights and the Environment under African Union Law* (2020, [Springer](#) Publishing)

Addaney M and Moyo CG “Experiences from African Regional Human Rights Courts and Tribunals in the Protection of Environmental Rights” in Addaney, M and Jegede AO (eds) *Human Rights and the Environment under African Union Law* (2020, [Springer](#) Publishing)

Jegede AO “Climate Change as a ‘constitutional essential’: Trend and Significance for Africa” in Addaney, M and Jegede AO (eds) *Human Rights and the Environment under African Union Law* (2020, [Springer](#) Publishing)

Soyapi BC “The Judiciary and Environmental Protection in Zimbabwe” in Addaney, M and Jegede AO (eds) *Human Rights and the Environment under African Union Law* (2020, [Springer](#) Publishing)

Sibanda OS “Trade, Human Rights and Environmental Sustainability in Africa with Special Reference to the Extractive Sector” in Addaney, M and Jegede AO (eds) *Human Rights and the Environment under African Union Law* (2020, [Springer](#) Publishing)

Ashukem Jean-Claude N “The SDGs and the bio-economy: fostering land-grabbing in Africa” 2020 47(164) [Review of African Political Economy](#) 275-290 DOI: 10.1080/03056244.2019.1687086

International

Chasek P “Stockholm and the Birth of Environmental Diplomacy - Still Only One Earth: Lessons from 50 years of UN sustainable development policy” ([IISD](#) 10 September 2020) also downloadable at this side

2020 September [Bulletin of Atomic Sciences](#) – theme Managing the Transition Away from Fossil Fuels

Call for papers for the IUCNAEL Journal on Environmental law

The editors would like to invite contributions for inclusion in the eleventh issue of the IUCN AEL Journal of Environmental Law, which will be published in summer 2021.

The Journal is an open access, free to publish, peer reviewed journal. We welcome contributions in English, Spanish, French and Chinese. We aim to publish the journal by March 2021 so please provide a 300 word abstract 30 September.

We look forward to receiving your contributions and should you have any queries please do not hesitate to [contact us](#).

More information in the Annexure to this Newsletter.

Jordan CJ and Palmer AA “Virtual meetings: A critical step to address climate change” 2020 6(38) [Science Advances](#) DOI: 10.1126/sciadv.abe5810

Miles MW, Andresen CS and Dylmer CV “Evidence for extreme export of Arctic sea ice leading the abrupt onset of the Little Ice Age” 2020 6(38) [Science Advances](#) DOI: 10.1126/sciadv.aba4320

Day E and May J *The Advanced Introduction to Dignity and Law* (Edward Elgar 2020 available [here](#))

Narula *et al* “Simulation Method for Assessing Hourly Energy Flows in District Heating System with Seasonal Thermal Energy Storage” 2020 *Renewable Energy* 151: 1250–68. <https://doi.org/10.1016/j.renene.2019.11.121>.

Narula, K *et al* “Assessment of techno-economic feasibility of centralised seasonal thermal energy storage for decarbonising the Swiss residential heating sector” 2020 *Renewable Energy* ([link](#))

Narula, K *et al* “Simulation and comparative assessment of heating systems with tank thermal energy storage – A Swiss case study.” 2020 *Journal of Energy Storage* ([link](#))

2020 September [Energy Review](#) available

Nevitt M “On Environmental Law, Climate Change & National Security Law” 2020 44 [Harvard Environmental Law Review](#) 321

Minnerop Petra & Otto Friederike “Climate Change and Causation: Joining Law and Climate Science on the Basis of Formal Logic” 2019-2020 27 [Buffalo Environmental Law Journal](#) 49-86

Baker Patrick R & Tims Blake “Coal Shines a Light on the Need for a Just Energy Transition in the United States” 2019-2020 27 [Buffalo Environmental Law Journal](#) 87-106

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Daily Maverick](#): "Trapido A "Sweet signs of the Secret Life of Bees" 18 September 2020

- **Climate change and energy**

[Webber Wentzel](#): Niven G and Novotny P-A "Important Revisions to the Greenhouse Gas Emission Reporting Framework" 15 September 2020

[Bizcommunity](#): "Nespresso commits to carbon neutral coffee by 2023" 18 September 2020

[Bizcommunity](#): "New study: Solar power tower has less impact on bird populations than expected" 16 September 2020

- **Environmental enforcement**

[Webber Wentzel](#): Novotny P-A and Selaelo L "New Covid-19 directions call for the resumption of activities and processes in respect of environmental permits and licences" 15 September 2020

[Daily Maverick](#): Abdinor B "Killing the Holy Ghost: Limpopo's Musina-Makhado SEZ – A not-so-go zone?" 18 September 2020

- **Local government**

[Daily Maverick](#): Haffajee F "Johannesburg appoints twice-failed Limpopo municipal manager to fix 50,000 potholes" 16 September 2020

[Bizcommunity](#): McInerney P *et al* "Shaking the foundations: Time to change the structure of our cities" 18 September 2020

[Bizcommunity](#): "How built environment practitioners play a key role in public health" 15 September 2020

[Bizcommunity](#): "SPLUMA results in 60% spike in demand for property inspections" 16 September 2020

- **Mining**

[Daily Maverick](#): Fakir S "Gwede Mantashe's gas plan, the northern jihadists and Russia – the emerging power play in Mozambique" 18 September 2020

[Bizcommunity](#): Yousuf F "Why the mining sector is vital to green industry" 17 September 2020

[Bizcommunity](#): "Issues facing mining and impeding economic potential" 18 September 2020

[Bizcommunity](#): "Court ruling: All interested parties have access to mining rights application information" 18 September 2020 – also read [Mining Weekly](#)

[Bizcommunity](#): “Preliminary economic assessments. Investors beware!” 16 September 2020

- **Water, waste, oceans and chemicals**

[Daily Maverick](#): Ellis E “‘At some point we need government to listen’ — civil society rallies for access to clean water” 18 September 2020

[Bizcommunity](#): Borrelle SB “Recycling isn’t enough - the world’s plastic pollution crisis is only getting worse” 18 September 2020

[The Conversation](#): Scholes M and Scholes RB “A keen eye on facts saved this biodiverse wetland for now: threats to be aware of” 16 September 2020

- **Miscellaneous**

[Biznews](#): Neves J “SA virologist says Covid-19 type disease was found a few years ago – but world didn’t prepare” 16 September 2020

[The Conversation](#): Mograbi P *et al* “South Africa’s land reform policies need to embrace social, economic and ecological sustainability” 20 September 2020

Africa

- **Biodiversity, protected areas and culture**

Thomas Reuters [Foundation](#): Bhalla N “Fear of more coronavirus-like pandemics as land rights ‘under siege’” 14 September 2020

Thomas Reuters [Foundation](#): Goering L “U.N. says global goals to protect nature need women to succeed” 15 September 2020

[The Independent](#): Ledger E “Stop The Illegal Wildlife Trade: Chantecaille’s fight to save rhinos from poachers” 20 September 2020

[The Independent](#): Boyle L ‘Extinction Denialism’: How to fight a growing anti-science movement” 19 September 2020

- **Environmental enforcement**

[Natural Justice](#): Martens C “The 2020 update on the African Environmental Defenders Fund” 11 September 2020

- **Local government**

[Science](#): El-Said M “Spread of city-loving malaria mosquitoes could pose grave threat to Africa” 15 September 2020

[The Conversation](#): Plageman N *et al* “Urban planning needs to look back first: three cities in Ghana show why” 17 September 2020

[The Conversation](#): Cobinnah PB *et al* “Can COVID-19 inspire a new way of planning African cities?” 20 September 2020

- **Mining**

[Mail & Guardian](#): Tsoroti S and Anand A “Inside Zim’s illicit gold mine trade” 18 September 2020

[Daily Maverick](#): Barbee J “Mystery shrouds plans to start fracking near Namibia’s Kavango River and Botswana’s Tsodilo Hills” 16 September 2020

- **Water, Oceans, waste and chemicals**

[Mail & Guardian](#): Moore WG “US foreign policy may be creating instability in Africa” 17 September 2020

- **Miscellaneous**

[amaBhungane](#): “Failed Mambane eco-tourism project left taxpayer E1.2m poorer” 16 September 2020

[IISD](#) SDG Knowledge Hub: Dávalos GB “Global South Researchers are making Global Partnerships a Reality” 17 September 2020

[BusinessDay](#): Wolfe S “Intervention needed to neutralise misrule in Africa - Across the continent, democracies are in need of help — including from investors — to stave off abuses of power” 16 September 2020 [Legalbrief 18 September 2020]

Thomas Reuters [Foundation](#): Njagi K “Military demand for land puts northern Kenya’s farmers on edge” 16 September 2020

[Daily Maverick](#): Bechdol B “The value of South-South cooperation” 17 September 2020

[The Conversation](#): Soko M “Here’s why South Africa and its neighbours are anxious about EU and UK post-Brexit trade talks” 18 September 2020

[The Conversation](#): Neethling T “Why foreign countries are scrambling to set up bases in Africa” 15 September 2020

International

- **Biodiversity, animal rights, national parks and culture**

[The Guardian](#): Greenfield P “World fails to meet a single target to stop destruction of nature – UN report” 15 September 2020

[Los Angeles Times](#): Wara M “Op-Ed: Concrete steps California can take to prevent massive fire devastation” 16 September 2020

[Lexology](#): “Streamlining the Environment Protection and Biodiversity Conservation Act” 11 September 2020

[Nature](#): Irwin A “Microscopy illuminates charcoal’s sketchy origins” 18 September 2020

[IISD](#) ENB: Nature for Life 24-28 September 2020 | Virtual

[Science](#): Stokstad E “‘The warning lights are flashing.’ Report finds nations failing to protect biodiversity” 15 September 2020

Thomas Reuters [Foundation](#): Inguane A and Marianno B “Opinion: Preserve nature or survive: Amazon farmers’ COVID-19 dilemma” 16 September 2020

[IISD](#) SDG Knowledge Hub: “Fifth Global Biodiversity [Outlook](#) Focuses on Eight Transition Areas” 15 September 2020

- **Climate change and energy**

[New York Times Magazine](#): Lustgarten A “How climate migration will reshape America” 15 September 2020

[Bloomberg Law](#): Flatt VB “Insight: Disclosing Danger—Attorney Ethics Rules Meet Climate Change” 16 September 2020

[WaQi.info](#): “World's Air Pollution: Real-time Air Quality Index”

[Lexology](#): “Federal Carbon Transparency Act, 2019” [Canada] 15 September 2020

[Lexology](#): “Polish Offshore Wind Act - Current status” 9 September 2020

The Environmental Law Narrative [Project](#): Hudson B “Doubting Science – Let’s Differentiate Between Climate Change and Covid-19 Science” 18 September 2020

Melbourne Law [School](#): “Corporate Energy Transition” Project and final report

[International Energy Agency](#): B20 Joint Statement on Energy Transitions, Riyadh, Kingdom of Saudi Arabia, 18 September 2020

[IISD](#) ENB: High-level Roundtable on Climate Action 24 September 2020 | Virtual

[Lexology](#): “Climate Change Litigation on the Horizon with Trump Environmental Overhaul” 16 September 2020

[IISD](#) SDG Knowledge Hub: “GHG Concentrations Hit Record Highs Despite COVID-19, Leading Science Organizations Warn” 17 September 2020

[IISD](#) SDG Knowledge Hub: “Government Commission Sounds Alarm on Climate Risk in US Financial System” 17 September 2020

[Newsweek](#): Osbone H “Another Giant Crater Appears on Siberia's Arctic Tundra” 18 September 2020 – read also [Siberian Times](#) and [New York Times](#)

[Science](#): Service RF “Energy ‘scavenger’ could turn waste heat from fridges and other devices into electricity” 11 September 2020

[Institute](#) for Carbon Law Removal Law and Policy: Agroforestry Webinar 4 September 2020

[Institute](#) for Carbon law Removal Law and Policy: Carbon Removal and Corporate Climate Commitments Webinar 31 August 2020

Thomas Reuters [Foundation](#): Rowling M “Hit by COVID and climate change, island states battle debt crisis” 14 September 2020

Kleinman [Centre](#) for Energy Policy: Nevitt M “As Climate-Related Disasters Intensify, Retreat Emerges as Adaptation Strategy” 15 September 2020

[Lexology](#): “CFTC Report: Climate Change Threatens Stability of US Financial System” 14 September 2020

- **Environmental enforcement**

[The Revelator](#): Mintz JA and Flatt VB “Pandemic Spawns Dangerous Relaxation of Environmental Regulations” 10 September 2020

[ELI Blog](#): McElfish E “What Did CEQ Do?” 14 September 2020

[Lexology](#): “After Surviving Preliminary Injunction Motion, New NEPA Rule Becomes Effective Today” [USA] 14 September 2020

[Lexology](#): “EPA Publishes “First Ever” Rule Intended to Promote Transparency in Developing Regulatory Guidance Documents” 15 September 2020

[Lexology](#): “A single-touch approach to environmental approvals: First tranche of EPBC Act reforms introduced” 17 September 2020

[Lexology](#): “COVID-19 and the Environment” [Canada] 10 September 2020

[Lexology](#): “New Environmental Appeals Board Permit Appeal Procedures Take Effect Sept. 21, 2020” [USA] 14 September 2020

[IISD](#) SDG Knowledge Hub: “Pacific Islands Forge Ahead on National Environmental Action, Monitoring, and Reporting for Informed Decision Making” 15 September 2020

- **Local government**

[Development Asia](#): “How Small to Middle-Sized Cities Can Lead the Way to Low Carbon Mobility for All”

Thomas Reuters [Foundation](#): Chandran R “Volunteer armies map 'invisible' communities hit by coronavirus” 14 September 2020

Thomas Reuters [Foundation](#): Hattam J “New homes, highways boost flood risk on Turkey's northern coast” 15 September 2020

Thomas Reuters [Foundation](#): Bacchi U “Governments urged to invest more in green cities to beat coronavirus slump” 14 September 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “Army Corps of Engineers Proposes Revising Broad Range of Clean Water Act Nationwide Permits” [USA] 15 September 2020

[IISD](#) SDG Knowledge Hub: “Work Not Done for Ozone Convention: UN Officials” 17 September 2020

[IISD](#) ENB: “33rd UN-Water Meeting 29 September 2020 | Online

[Lexology](#): “The Poseidon Principles: Shipping Emissions Reduction Efforts Steer into New Waters” 11 September 2020

[Lexology](#): “Chemical Data Reporting Is Due to EPA on November 30” [USA] 14 September 2020

[Lexology](#): “Water companies urged to 'step up and play their part' on environmental performance” [UK] 14 September 2020

[IISD](#) SDG Knowledge Hub: “Rotterdam Convention Committee Recommends Informed Consent Procedure for Trade in Two Chemicals” 15 September 2020

- **Miscellaneous**

The Environmental Narratives [Project](#): Eisenberg A “Has the Pandemic Changed the Narrative on Rural Communities?” 9 September 2020

[IISD](#) ENB: SDG Action Zone 22-24 September 2020 | Virtual

[IISD](#) ENB: High-level Event on Financing for Development 29 September 2020 | Virtual

[IISD](#) SDG Knowledge Hub: Borges O and Herwig M “Harnessing Governance Statistics in the Fight Against COVID-19” 17 September 2020

[IISD](#) SDG Knowledge Hub: “UN’s 75th Anniversary Is Opportunity to Forge Cooperation: UN Economists” 17 September 2020

[IISD](#) SDG Knowledge Hub: “ECOSOC Declines to Hold Exceptional Meeting on HLPF Ministerial Declaration” 17 September 2020

[Lexology](#): “Ukraine introduced the green bonds market” 14 September 2020

[BBC](#) “We’ve misunderstood Darwin about who survives” September 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club – Save the date

Last and final event for 2020: 28 October 2020

More information will follow later

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- **Pretoria**

Date: 29 September to 1 October 2020

Venue: Oppiehoek Guesthouse, corner of Malan and Blake Street, Riviera Pretoria.

The cut-off date for Early Bird discounts is 18 August 2020, the last date for Registration is 8 September 2020),

- **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenview Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

Water Research Commission: Upcoming webinars for August-September 2020

- **Dialogue: Water Quality threatens Eco-Tourism: Save our Heritage**
Date: 22 September 2020
[Registration](#)

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

Webber Wentzel: The Protection of Personal Information Act (POPIA) Webinar Series

The Protection of Personal Information Act (POPIA) regulates all organisations who process personal information - information about employees, customers, suppliers and those who outsource key processing activities, share data offshore, or engage in direct marketing. Organisations have until 30 June 2021 to comply with the requirements set out in POPIA. Non-compliance can result in significant penalties - up to 10 years' imprisonment and/or ZAR 10 million in administrative fines and civil claims and reputational damage.

To help organisations with POPIA readiness, we are hosting a three part webinar series:

Part 1: POPIA - Unpacking the Act, the issue of consent and the role and duties of the Data Information Officer

Date: Monday, 21 September 2020

Time: 11h00 to 12h00

Part 2: POPIA - Managing direct marketing, suppliers, customers and employees. Key issues related to information flows and GDPR versus POPIA compliance

Date: Monday, 28 September 2020

Time: 11h00 to 12h00

Part 3: POPIA - Security, AI, breaches, managing the risks and engaging the regulator, crisis and reputation management

Date: Wednesday, 7 October 2020

Time: 11h00 to 12h00

More [information](#)

IAIAsa AGM

Date: Wednesday 23 September 2020

Time: 12h00 -13h00

Please register at the link <https://forms.gle/reF1j7Cr5kq5QJHeA> to gain access to the Zoom Meeting

SAEEC: Considering Water in your Business – an introduction to water efficiency

Free for members

Tuesday: 29 September 2020

Time: 10:00-11:30

More information and [registration](#)

PLDSA: Corporate Governance King IV training

Dates: 3– 4 November 2020, Online Course via Microsoft Teams

11-12 November 2020, Hilton Hotel, Sandton

17-18 November 2020 Protea Hotel Sea Point, Cape Town

24-25 November 2020 Southern Sun Hotel, Durban

[Contact](#) for more information / [Website](#) / Tel: (+27) 87 654 8306

International

African Doctoral Webinars Law

Do you supervise doctoral students on any aspect of law in Africa, or are you a doctoral student yourself? A new online platform is now available where supervisors from all law faculties on the continent can register seminars for their students, and students can register to attend seminars of interest to them. There are no costs involved.

The platform will serve to enhance greater collaboration between post-graduate researchers on the continent, and is aimed at raising the standard of doctoral legal research in Africa.

For further information see [here](#)

IUCN Webinar Series: Transboundary Water Governance for Water Security

- **Seminar 7: Transboundary Water Governance Panel**

Date: 30 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT

Registration and more information [here](#)

Canada-United States Law Institute symposium: A State-Provincial Approach to Harmful Algal Blooms in the Great Lakes Basin: Possibilities and Pitfalls

Thursday, October 15, 2020, from 9 a.m. – noon (EDT)

More [information](#) – pre-registration needed

Nature: Do you need a resume refresh?

[Sign up to watch the webcast on Friday, 9 October](#) 2020

Time: 15:00 UTC (that's 8 a.m. PDT, 11 a.m. EDT, 4 p.m. BST and 5 p.m. CEST)

A free webcast for PhD students and other early-career researchers hosted by Nature's own Jack Leeming, will help you to craft the perfect CV. The event will touch on structure, what you should include and how industry and academic CVs differ.

APCEL and Yale Law School: Book Launch Climate change litigation in the Asia-Pacific – Jolene Lim and Douglas A Kysar

Date: 28 October 2020

Time: 4:00 PM to 5:30 PM (SGT)

[Registration](#) closes 26 October 2020 12 noon (SGT)

Email [Nur Fazirah](#) for enquiries

POLLEN20! Contested Natures

Dates: 22-25 September 2020

Commences: 9 am (UK time) on 22 September 2020

[Browse the programme](#) to see what's coming up on the different days, or [visit the live page](#) to see what's happening on the different stages.

Some sessions and talks will be 'On Demand' for you to watch at your own pace. We'll release more On Demand material during and after the conference.

Twitter hashtag: [#POLLEN20](#)

More [information](#)

IAIA21, “Smartening Impact Assessment in Challenging Times

Dates: 18-21 May 2021

Place: Seville, Spain

Papers and posters from IAIA20 will be carried over, but we are also accepting new presentations. Do you have a great new project? Has COVID-19 affected your work? A session is waiting for you. Paper and poster abstract [submissions](#) are open now through 29 October.

IAIA: Virtual symposium program available: Our Interconnected World

Virtual symposium: engage online with fellow participants as we explore health, resilience, climate change, and hot topics from the IAIA20 sessions.

Check out the [program](#), and then [register](#) to participate!

Institute for Carbon Removal Law and Policy Webinar on Justice/Equity Considerations and Carbon Dioxide Removal Approaches

Date: Mon 21 September 2020

Time 4:00 PM – 5:00 PM SAST

More [information](#)

ICLEI: Daring Cities

Dates 8-12 October 2020

Programme is now [available](#)

[Registration](#)

Copenhagen Centre on Energy Efficiency: Unlocking energy efficiency in municipalities: water-energy nexus in existing water supply systems

Join us for a webinar on September 29th, 2020

Time: 11:00 AM CEST

More [information](#)

Corporate Climate Risk: Assessment, Disclosure, and Action

Date: 2 October 2020

Time: 11:00am–2:30pm (check local time)

[Webinar](#)

Institute for Policy Integrity online conference: Perspectives on Climate Change and Public Health

Date: 22 September 2020

Time: 10 a.m. – 1 p.m. ET

You can register [here](#).

Cuny Law: The Fight for Environmental Justice: Old and New Challenges During a Syndemic of Racism, Toxic Pollution, and Deadly Viruses

Date: 30 September 2020

Time: 4:30-6:00 PM [Eastern Time \(US and Canada\)](#)

[Register in advance](#) for this webinar

Japan Climate Action Summit 2020

Japan Climate Initiative (JCI), of which Renewable Energy Institute serves as the secretariat together with WWF Japan and CDP Japan, will host “Japan Climate Action Summit 2020 (JCAS2020)”

Date: 13 October 2020.

Time: 3:00 PM- 6:15 PM JST

Register [here](#)

GlobalABC Webinar: Green buildings vs. the crisis

Date: 23 September 2020

Time: 15.30 CEST

Over 10% of global GDP and 220 million jobs depend on the building sector. Buildings are responsible for 40% of energy-related greenhouse gas emissions. Practitioners and development banks present successful green building programmes and discuss possibilities for financing them.

Registration [link](#)

NEWS

National

- **Biodiversity, protected areas and animal rights**

Mabuza E “How Covid-19 turned out to be good news for rhinos” [TimesLive](#) 15 September 2020 [Legalbrief Covid-19 16 September 2020]

Sizani M “‘They stabbed and stoned my horses’ says Fairview stable owner” [GroundUp](#) 18 September 2020

Isaac J “Wildfires leave two dead, 100 homes in ashes” [GroundUp](#) 15 September 2020

Pijooa I “Crayfish worth over R6m seized on N2 in Western Cape” [TimesLive](#) 20 September 2020

Slater D “Sappi signs up to Business for Nature’s Call to Action on environment” [Engineering News](#) 17 September 2020

“Trophy hunting quotas for South Africa in 2020: leopards, elephants and lion bone exports” [Africa Geographic](#) 14 September 2020

- **Climate change and energy**

Van der Merwe M “Eskom secures R2.5 billion worth of farmland as security for municipal debt” [News24](#) 15 September 2020

Lo J “South Africa aims to reach net zero emissions in 2050 – while still burning coal” [Climate Home News](#) 16 September 2020

Maune B “Ex-Eskom exec: how Gupta friends moved to hijack state funds earmarked for news media” [Biznews](#) 18 September 2020

Creamer T “Nersa to learn next week if tariff-raising Eskom judgment can be appealed” [Mining Weekly](#) 18 September 2020

Creamer T “IPP Office says next renewables bid window by end Jan ‘latest’, but possibly before year-end” [Mining Weekly](#) 17 September 2020

BulbuliaT “Bokamoso Solar starts commercial operations” [Engineering News](#) 18 September 2020

“CER calls on government to heed public health professionals’ call for climate leadership” [CER](#) 16 September 2020

Litigation: Judgment reserved in strategic oil deal case

“As judgment was reserved in the Western Cape High Court yesterday in the dispute between the government’s Strategic Fuel Fund (SFF) and oil traders over the sale of SA’s strategic fuel reserves in 2015, global commodities giant Glencore announced it had reached an out-of-court settlement in which the company will be refunded and the state will regain ownership of the oil, notes Legalbrief. The SFF, a subsidiary of the Central Energy Fund, reached an ‘in-principle agreement’ in which Glencore, which is headed by SA-born Ivan Glasenberg, recognised that a deal to acquire 3m barrels of SA’s strategic oil reserves was invalid, says Business Day. The agreement relates to a controversial deal in which the SFF irregularly sold 10m barrels of SA’s strategic crude oil reserves in late 2015 for just under R5bn to eight companies, including multinational oil trader Vitol. The SFF has asked the court to make a declaratory order to set aside the sale of the strategic fuel reserves, which would allow it to refund the buyers and keep the oil in SA. At the time of the sale, then acting CEO at the SFF, Sibusiso Gamede, claimed the disposal was part of stock rotation. Evidence this week indicated that Gamede accepted alleged bribes ahead of the stock sales. These payments are subject to an ongoing criminal investigation into the sales. Advocate Wim Trengove, on behalf of Vitol, said that while the trader accepted that the sale and a related storage agreement were unlawful, the SFF as an institution was the culprit in this regard. Kameshni Pillay, representing Outa as a friend of the court, said there had clearly been impropriety on the part of the traders, too. She asked the judge to highlight their ‘egregious conduct’ in his findings.”

Full Business Day report (subscription needed) Legalbrief 18 September 2020

- **Local government**

Mbovane T and Sizani M “Anger erupts over PE water shortages” [GroundUp](#) 18 September 2020

Broughton T “Tenacious editor wins battle for transparency” [GroundUp](#) 17 September 2020

Kretzmann S “City appeals against provincial authorisation of R4 billion River Club development” [GroundUp](#) 17 September 2020

Arnoldi M “Creecy shares strides govt has made in circular economy efforts” [Engineering News](#) 17 September 2020

- **Mining**

Hasenfuss M “Corporate spat over the carcass of Mine Restoration Investments” [BusinessLive](#) 10 September 2020

“Investors call for climate disclosures in company accounts” [Mining Weekly](#) 18 September 2020

“‘Nobody has done anything’: Amazon indigenous group decries illegal mining” [Mining Weekly](#) 17 September 2020

Gupta S “A Resolution for International Disputes in Greco-Turkish Seas” [The Jurist](#) 17 September 2020

- **Water, oceans, waste and chemicals**

Damons M “‘It’s so painful when you see old people drinking dirty, smelly water with animals’” [GroundUp](#) 18 September 2020

Nocuze B “700 residents have a litre of water per day in Eastern Cape village” [GroundUp](#) 15 September 2020

Comrie S “New evidence points to corruption in SAP’s R1-billion water deals” [amaBhungane](#) 18 September 2020

Stone S “Lepelle Water wastes R9 million on incomplete boreholes, official escapes DC” [City Press](#) 14 September 2020

Corruption: Bank deposit unpacked at DSW case

“An amount of R100 000 deposited into the personal bank account of an accused in the nearly R500m Durban Solid Waste (DSW) tender-rigging matter has come under scrutiny in one of Durban’s biggest corruption scandals, says a Sunday Tribune report. Former eThekweni Mayor Zandile Gumede and city manager Sipho Nzuza are among those charged in a trial that has been postponed for three months to allow the state to finalise its 350 000-page audit report that delves into the kickbacks and corruption allegations against the 17 accused. Last week, Nedbank was subpoenaed to explain how a Durban North branch handled a R100 000 deposit into a specific personal account without the depositor providing personal details. The transaction was done by a bulk teller at Nedbank’s La Lucia branch in Durban during December 2017 without the depositor providing a name, ID number or mobile phone number. According to the Financial Intelligence Centre Act (Fica) of 2001, accountable institutions are required to keep a record of every transaction.

Durban Regional Court Magistrate Shaun Carslow presided over the matter, and prosecution was led by Advocate Ashika Lucken. Nedbank was first subpoenaed in March to provide information on the transaction but its response was not to the team's satisfaction. Therefore, notes the Sunday Tribune report, a Section 205 subpoena was then made on 21 August to compel Nedbank to provide the details required."

Full Sunday Tribune report (subscription needed) Legalbrief Forensic 17 September 2020

- **Miscellaneous**

Arnoldi M "Infrastructure South Africa drafting 25-year National Infrastructure Plan" [Engineering News](#) 18 September 2020

International

- **Biodiversity, protected areas, animal rights and culture**

"Bolsonaro plays down Amazon fires, accuses NGOs of blocking land titling" [News24](#) 17 September 2020 [Legalbrief 18 September 2020]

"Climate change threatens Komodo dragons" [Newswise](#) 16 September 2020

Boyle L "'Millions of people may be headed your way': Governor says Californians will flock to Canada as wildfires get worse" [The Independent](#) 18 September 2020

Boyle L 'The legal and illegal trade are inseparable': The drain of Africa's chimpanzees for foreign zoos" [The Independent](#) 18 September 2020

Boyle L "California wildfires, by the numbers" [The Independent](#) 17 September 2020

"Firefighters in U.S. northwest aided by weather, as winds drive California blaze" [Reuters](#) 20 September 2020

Boyle L "Burned jaguars and reptiles consumed by flames: Fires rage in Brazil's wetlands" [The Independent](#) 16 September 2020 – also see [BBC](#)

Helm T and McKie R "Ministers accused of blocking plans to ban burning of UK peatlands" [The Guardian](#) 20 September 2020

Moore O and Applegate Z "GM crops: The Greenpeace activists who risked jail to destroy a field of maize" [BBC](#) 20 September 2020

McKenzie "S The alien invaders threatening Scotland's wildlife" [BBC](#) 19 September 2020

"Thai national park sends rubbish back to tourists" [BBC](#) 18 September 2020

"Croatian biologists fear largest Mediterranean clam near extinction" [Reuters](#) 18 September 2020

- **Climate change and energy**

"New Zealand First in the World to Require Climate Risk Reporting" [Scoop Parliament](#) 15 September 2020

“EU nations phasing out coal power “sooner than expected” –Commission” [Carbon Pulse](#) 18 September 2020

“European Commission proposes LRF adjustment, considers rebasing EU ETS cap under 2030 climate plan” [Carbon Pulse](#) 17 September 2020

“IMF endorses EU plan to put a carbon price on imports” [Climate Home News](#) 17 September 2020

“European Commission president confirms “at least 55%” 2030 climate target” [Carbon Pulse](#) 16 September 2020

Schulz F “German industry sceptical of EU’s new 2030 climate goals” [EURACTIV](#) 17 September 2020 – read also [CleanEnergyWire](#)

Rankin J “EU commission accused of 'cheating' on net-zero emissions accounting” [The Guardian](#) 14 September 2020

“Greenpeace targets Spain with climate change lawsuit” [france24](#) 15 September 2020

Maas C “Daimler to pay \$1.5B over US emissions cheat claims” [The Jurist](#) 15 September 2020

Cockburn H “Climate crisis: Melting ice sheets could raise sea levels almost half a metre in 80 years, latest research suggests” [The Independent](#) 19 September 2020

Vernon W “Siberia landscape scarred by climate change” [BBC](#) 18 September 2020

“Plug-in hybrids are a 'wolf in sheep's clothing'” [BBC](#) 16 September 2020

Keane B “How the oil industry made us doubt climate change” [BBC](#) 20 September 2020

“France moves to freeze plans for environmental tax on airlines” [Reuters](#) 18 September 2020

Appunn K “What's new in Germany's Renewable Energy Act 2021” [CleanEnergyWire](#) 15 September 2020

- **Local government**

Mistlin A “Delays to clean air zones in English cities 'put wellbeing at risk'” [The Guardian](#) 18 September 2020

Caspani M “New Jersey governor signs law aimed at protecting poor from pollution” [Reuters](#) 18 September 2020

- **Mining**

“BHP sought to disturb cultural sites even after concerns raised – inquiry” [Mining Weekly](#) 18 September 2020

“Australia's Whitehaven Coal calls to reject investor resolution on climate change” [Mining Weekly](#) 18 September 2020

Webb M “‘No politics’ in Pebble review, says Trump” [Mining Weekly](#) 17 September 2020

Slater D “WEF White Paper highlights human rights fragility in DRC's artisanal mining sector” [Mining Weekly](#) 17 September 2020

Liedtke S Report says mining industry has ‘huge SDG potential’, but laments lack of action” [Mining Weekly](#) 17 September 2020

- **Water, waste, oceans and chemicals**

“Cameroon seeking to build \$3bn dam to export electricity” [Engineering News](#) 18 September 2020

Anderson K “Coronavirus PPE pollution: Can we stop the mounting plastic pandemic?” [The Independent](#) 19 September 2020

Forrest A “Every river in England is polluted, government figures reveal” [The Independent](#) 18 September 2020

“Climate Crisis: Critical water shortages more likely in US West by 2025, putting 40m at risk” [The Independent](#) 17 September 2020

“Plastic pollution: Washed clothing's synthetic mountain of 'fluff” [BBC](#) 16 September 2020

Harris E “Malaysia's battle against plastic waste spans beaches and city shops” [Reuters](#) 18 September 2020

- **Miscellaneous**

Peter S “Volcanic Caribbean island of Dominica shaken by explosion of steam and gas” [Reuters](#) 19 September 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

National Wetland Awards 2020

Closing date for nominations: 25 September 2020

More [information](#)

UNISA: School of Law - Various academic positions

Closing date: 25 September 2020

More [information](#)

UNISA: CL: School of Criminal Justice Various Academic Positions

Closing date: 25 September 2020

More [information](#)

The Water Research, Development, and Innovation (RDI) Roadmap Postgraduate Student Support Call

The Water RDI Roadmap Implementation Unit provides funding to support postgraduate students that are aligned to the priority themes/clusters of the Water RDI Roadmap.

We invite WRC Projects Leaders to apply on behalf of postgraduate students who they would like to link to their active WRC projects.

Selected students will be supported from January 2021 onwards.

Follow this [link](#) for the online application form.
Closing date for applications: 11 October 2020.

Cullinan & Associates: Consultant. Cape Town Western Cape

Are you an energetic, entrepreneurial attorney (preferably with your own clients) who would like to be part of a well-established specialist law firm and take home most of what you bill?

Cullinans is a specialist environmental and green business law firm based in Cape Town that has been in practice for 23 years. We value excellence, ethics and innovation. We are looking for lawyers who offer legal services that are compatible with the firm's core expertise (see [website](#)), can work independently, and would like to become part of the firm's management team. We are particularly interested in lawyers with experience/expertise relevant to business start-ups, renewable energy, food, public procurement and cannabis enterprises but are open to considering other ideas compatible with our brand.

Please [email](#) CV and covering letter.

University of the Free State: Deputy Director Unit for Institutional Change and Social Justice Gender Equality and Anti-discrimination Office

Closing date: 25 September 2020

More [information](#)

University of Venda: Senior Lecturer Labour Law, Tax law, ADR

Closing date: 16 October 2020

More [information](#)

University of the Witwatersrand Mandela Institute: Senior Researcher

Closing date: 30 September 2020

More [information](#)

National Treasury: Graduate Internship Programme

Closing date: 30 September 2020

More [information](#)

[**Tip for students:** Google "Graduate internship / programmes 2021" – various government departments provide opportunities for you to gain some experience and build your CV]

International

France: Master's Study in France

Date: 02 October 2020

Time: 08h30 to 10h00

Join University of Montpellier webinar on Zoom to find out what courses they offer and how to apply to study in France.

[Registration](#) is essential.

ABE Initiative Scholarships Programme: Japan: Master's Internship and PhD

Master's, Internship programme and PhD scholarships in Engineering, Science, Technology, Agriculture, Environment, Energy, Marine Science, Health Mining, Rural Development, Public Policy, and Education.

Deadline for scholarship applications: 09 October 2020 - More [information](#)

United Kingdom: Chevening Scholarship Programme

Taught master's scholarships in wide range of fields

Deadline for scholarship applications: 3 November 2020

More [information](#)

Hong Kong, China: Phd Fellowship Scheme

PhD scholarships in wide range of fields at any of the eight University Grants Committee funded Universities.

Deadline for scholarship applications: **01 December 2020**

More [information](#)

Switzerland: Phd, Postdoctoral and Research Fellowship

PhD, postdoctoral and research scholarships at Swiss higher education institutions.

Deadline for scholarship applications: 15 December 2020

More [information](#)

[Professorship of International Dispute Resolution](#)

University of Vienna Faculty of Law

[Professorship of International Comparative Public Policy](#)

Ludwig-Maximilians-University Munich

[Professorship of Climate Geography](#)

University of Freiburg Department of Environmental Social Sciences and Geography

[Research Fellow in Cities and Innovation](#)

Singapore University of Technology and Design Lee Kuan Yew Centre for Innovative Cities

Marriott International: Senior Director, Law - Operations & Asset Management

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.

ANNEXURE

CALL FOR PAPERS IUCNAEL JOURNAL

In particular, for Issue 11, the editors invite submissions in the form of:

- **Substantial articles.**
Potential authors are invited to work on the following theme:
EMERGENCY POWERS, ANTI-PROTEST LAWS AND THE CONSEQUENCES OF COVID-19 ON PUBLIC PARTICIPATION IN ENVIRONMENTAL DECISION-MAKING
Authors could refer to local laws, court changes to processes and are invited to analyze the role played (or not) by international environmental law and international human rights law. We welcome proposals focusing on the Aarhus Convention or the prospects opened by the Escazú Agreement, regional human rights treaties and case studies concerning environmental defenders and/or indigenous peoples.
- **Country reports.**
- These reports should canvas recent interesting legal and policy developments in members' jurisdictions – preferably developments that have taken place in the past 6-12 months. Maximum length: 3000 words.
- **Short Notes/Insight Pieces.**
- Short punchy notes/opinion pieces on preferably controversial topics, the purpose of which is to invoke debate. Maximum length: 1000 words.
- **Book Reviews.**
- Book reviews should critically consider texts in the field of environmental law that have been published in the past 6-12 months. Maximum length: 1000 words.
- **Teaching Articles or short notes.**
- Authors are expected to provide critical analysis and insights regarding good practices in the teaching of the environmental law or capacity building initiatives, which includes the following topics: Blended Learning; Capacity building actions; Case Method; Clinical Legal Education; e-Learning; Evaluation and assessment of student learning; Experiences in joint education projects (national and international); Flipped Learning; Innovative approaches to teach environmental sustainability and justice; Inquiry based teaching; Joint programs; Learning and Teaching Methodologies; Mobile learning: Phones, Tablets...; Moot Court Competitions; Plagiarism; Problem-Based Learning; Scientific methodology or evidence based teaching; Simulations; Teaching Environmental Law from interdisciplinary perspectives; Teaching research nexus; Tutoring and Coaching; University-Industry Collaboration.

The full details regarding the length and nature of possible contributions are available on the [Journal's website](#). So too are existing issues of the eJournal which should give a good idea of the nature and form of the different contributions.

Thank you for your time and attention and we look forward to working with you.

Jennifer McKay (University of South Australia, Australia) and Sandrine Maljean-Dubois (Université Aix Marseille, France), Co-Editors-in-Chief.



A Public Benefit Organisation



ELA NEWSLETTER 39

25 September 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere!

Keep safe and keep contact via Facebook, the website, upcoming workshops and our ELA Streaming Club.

DIRECTIONS

Disaster Management Act 57 of 2002 – Directions

- Gen Notice 514 in GG 43731 of 23 September 2020 - Tourism Directions published in Gen 356 in GG 43487 of 29 June 2020 amended

NOTICES

Disaster Management Act 57 of 2002 - GN 1011 in GG 43727 of 20 September 2020 - Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended with effect from 21 September 2020

Electronic Communications Act 36 of 2005 – Gen Notice 512 in GG 43729 of 22 September 2020 - Independent Communications Authority of South Africa (ICASA): Mandating of service code '139' for COVID-19 national emergency services during the National State of Disaster

Fire Brigade Services Act 99 of 1987 – Gen Notice 515 in GG 43734 of 25 September 2020 - White Paper on Fire Services

National Water Act 36 of 1998 - GN 1019 in GG 43734 of 25 September 2020 - Reserve determination for the water resources of the Vaal Water Management Area

National Heritage Resources Act 25 of 1999 - GN 1016 in GG 43734 of 25 September 2020 - Declaration of the Rocklands Community Hall: Mitchell's Plain, Cape Town, Western Cape as a National Heritage Site

National Heritage Resources Act 25 of 1999 - GN 1017 in GG 43734 of 25 September 2020 - Declaration of the historical portion of the Phoenix Settlement, Inanda, Ethekwini, KwaZulu-Natal as a National Heritage Site

National Nuclear Regulator Act 47 of 1999 – Gen Notice 516 in GG 43734 of 25 September 2020 - Fees for nuclear authorisations payable to the National Nuclear Regulator of South Africa for the period 1 April 2020 to 31 March 2021

Construction Industry Development Board Act 38 of 2000 – Gen Notice 505 in GG 43726 of 18 September 2020 - Dates on which assessment of best practice standards will commence and Construction Industry Development Amendment Regulations, 2020

National Environmental Management: Biodiversity Act 10 of 2004 - GN R1020 in GG 43735 of 25 September 2020 - Alien and Invasive Species Regulations, 2020 published and Alien and Invasive Species Regulations, 2014 published in GN R598 in GG 37885 of 1 August 2014 repealed with effect from 30 days from date of publication in the *Gazette*

Electricity Regulation Act 4 of 2006 - GN 1015 in GG 43734 of 25 September 2020 - Determination under s. 34(1) of the Act

PROVINCES

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 24 in PG 2217 of 24 September 2020 - Umdoni and Umzumbe Local Municipalities - Commencement date of the Joint Municipal Planning Tribunal agreement

Spatial Planning and Land Use Management Act 16 of 2013 – MN 78 in PG 2217 of 24 September 2020 - Endumeni Local Municipality - Erratum notice for the establishment of the Municipal Planning Tribunal and the appointment of members as published under MN 17 in PG 2177 of 26 March 2020

North West

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 109 in PG 8147 of 22 September 2020 - Moretele Local Municipality - Municipal Planning Tribunal commencement

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 110 in PG 8147 of 22 September 2020 - Ditsobotla Local Municipality - Invitation for nomination of persons to be appointed as members for the Municipal Planning Tribunal

Northern Cape

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 94 in PG 2368 of 21 September 2020 - Sol Plaatje Local Municipality - Draft Spatial Development Framework (SDF) - for comment

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Daily Maverick](#): Twine P “Rhino Month: The juxtaposition of conservation and community” 24 September 2020

- **Climate change and energy**

[Mail and Guardian](#): Lenferna A “We cannot afford incremental action on climate change” 24 September 2020

[Mail and Guardian](#): Worthington R “Global climate action is more vital than ever” 23 September 2020

[Daily Maverick](#): Klaasen G *et al* “Climate crisis: Our young people deserve better” 24 September 2020

[Daily Maverick](#): Morgan S “The climate crisis in 2020: why you should take a stand now” 24 September 2020

[Engineering News](#): De Bruyn C “SA's transition to renewables” 25 September 2020

[Engineering News](#): Creamer T “Ten lessons to guide South Africa’s ‘just transition’ from coal to renewables” 23 September 2020

- **Local government**

[Daily Maverick](#): Uncooperative governance: Ellis E “Headaches, ‘shit diaries’ and tears of desperation in Graaff-Reinet as sewage spills show no end” 23 September 2020

- **Mining**

[BusinessLive](#): “Watch: What the government expects from the mining sector” 25 September 2020

[GAIA Foundation](#): “Opposition to coal mining in Limpopo, South Africa is mounting...”

- **Miscellaneous**

[TimesLive](#): Obulutsa G “Kenya harnesses fly larvae's appetite to process food waste” 23 September 2020

[Bizcommunity](#): “South Africa: President Cyril Ramaphosa - United Nations Security Council Virtual Summit On ‘Global Governance and Post Covid-19’” 24 September 2020

Africa

- **Biodiversity, protected areas and culture**

[Natural Justice](#): “An appeal to the Government of Kenya from CLAN (Community Land Action Now)” 24 September 2020

[allAfrica](#): Kimuyu H “Kenya: Nairobi National Park's Land Size Doubles” 26 September 2020

[allAfrica](#): Bizimungu J “Rwanda: Kwita Izina - Kagame Commends Park Communities as 24 Gorillas Are Named” 25 September 2020

[allAfrica](#): Truscott R “Gabon: Pangolins in Gabon Share Burrows With Bats in Potential 'Viral Melting Pot' – Scientists” 25 September 2020

[allAfrica](#): “Madagascar: Rosewood Conservation - a Success Story From Madagascar” 24 September 2020

[The Independent](#): Ledger E “Post-Covid strategy for nature conservation launched by charity Space for Giants” 26 September 2020

[The Independent](#): Alim AN “Stop the Illegal Wildlife Trade: Elephants go hungry as climate crisis causes Africa’s largest rainforest to ‘wither and die’” 25 September 2020

[The Independent](#): Boyle L “Digital event: How conservation can benefit from new approaches to environmental sustainability” 25 September 2020

- **Climate change and energy**

[allAfrica](#): Rowling M “Africa: Climate Primer - Why Is Everyone Talking About 'Net Zero'?” 21 September 2020

[allAfrica](#): “Africa: Greta Thunberg Donates Thousands to NGOs Helping Africa Fight Climate Change” 25 September 2020

[allAfrica](#): Waylaun RS “Liberia Launches Website That Synchronize Climate Change Information” 25 September 2020

[allAfrica](#): Dunbar A “Liberia: EPA, UNDP and Partners Launch Climate Change Knowledge Sharing Planning Platform” 24 September 2020

[allAfrica](#): “Ghana: Programme Launched to Address Returnee, Climate Change Challenges” 24 September 2020

- **Environmental enforcement**

[Lexology](#): “Illinois Finalizes Regulations for Direct Implementation of Prevention of Significant Deterioration (PSD) Permitting under the Clean Air Act” 23 September 2020

- **Local government**

[allAfrica](#): Wait R “Africa: Circular Economy - Moving Africa Towards Environmental Sustainability” 22 September 2020

[allAfrica](#): “Ethiopia: Project Launched to Strengthens Urban Wash System in 23 Cluster Lead Towns” 24 September 2020

[The Conversation](#): Kritz J “How Accra tackled complex challenges in an urban slum” 23 September 2020

- **Mining**

[The Namibian Investigative Unit](#): Ntibinyane N “Diamonds and dollars ... the obscure transactions of the sparkling industry” 20 September 2020

[Bizcommunity](#): Ayuk NJ “LNG projects could transform Mozambique - if Western environmentalists don't interfere” 21 September 2020

[Bizcommunity](#): “Illicit gold thrives in DRC” 18 September 2020

- **Water, Oceans, waste and chemicals**

[Mail and Guardian](#): Chebet C “Disaster as climate crisis, tectonic shift swell Rift Valley lakes” 25 September 2020

[Daily Maverick](#): Daily Maverick: Walker T and Reva D “Africa can revive 2020 as an ocean super-year” 24 September 2020

[allAfrica](#): Farouk MA “Egypt: 'Be Prepared' - With Water Scarcer, Govt Pushes Farmers to Use Much Less” 24 September 2020

[allAfrica](#): Miyanicwe C “Namibia: Petrusfontein Water Woes Drag On” 25 September 2020

[allAfrica](#): Robi A “Tanzania: Government Sets Aside 24bn/ - for Mtwara Water Project” 25 September 2020

[allAfrica](#): Oduor S “Kenya: Thousands of Fish Killed in River Tana's Environmental Disaster” 24 September 2020

[The Independent](#): Dowling P “The social enterprise turning discarded flip-flops into masterpieces” 26 September 2020

[The Conversation](#): Patel A and Sarkar O “Pasha 81: A closer look at the informal water market in Kenya” 23 September 2020

- **Miscellaneous**

Thomas Reuters [Foundation](#): Thobega K “Botswana opts to make land owners of wives with new law” 17 September 2020

[allAfrica](#): “Kenya: Our Physical, Mental Health Depends On How We Take Care of the Environment” 25 September 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Lexology](#): “U.S. Fish and Wildlife Service Proposes Framework for Endangered Species Act Critical Habitat Exclusion Analysis” 18 September 2020

[IISD](#) ENB: Biodiversity Summit 30 September 2020 | Virtual

[IISD](#) SDG Knowledge Hub: Ervin J and Paxton M “Nature for Life: Galvanizing Political Will” 24 September 2020

[Global Forest Watch](#): “Forest Monitoring Designed for Action”

[National Geographic](#): Goldfarb B “How beavers became North America's best firefighter” 22 September 2020

[IISD](#) SDG Knowledge Hub: Burgess N “We Can Bend the Curve on Terrestrial Biodiversity Loss” 22 September 2020

[IISD](#) SDG Knowledge Hub: “‘Nature for Life Hub’ to Advocate for Nature-based Solutions Ahead of UN Biodiversity Summit” 22 September 2020

[The Independent](#): Boyle L “Trump administration pushes ahead for logging in ‘America’s Climate Forest’” 26 September 2020

[The Independent](#): Boyle L “Conservation leaders warn of ongoing threat of illegal wildlife trade at The Independent’s UN summit event” 26 September 2020

[The Independent](#): “‘There are species we haven’t found yet’: The race to save the South’s highly-diverse, disappearing grasslands” 22 September 2020

[The Independent](#): Cockburn H “Europe’s remaining ancient forests ‘in perilous state’ and require immediate protection, scientists warn” 21 September 2020

[BBC](#): “Photography award winners show the fragility and beauty of mangrove forests” 27 September 2020

- **Climate change and energy**

[Chapman Tripp](#): “Climate risk reporting for NZX firms and finance sector” 17 September 2020

University of Melbourne [Law School](#): Peal J *et al* “Corporate Energy Transition” (final report) September 2020

[Mail and Guardian](#): Hudson M “The dirty tricks climate scientists face” 20 September 2020

[Lexology](#): “Economic Impact of Climate Change—A Dive into the CFTC Report” [USA] 17 September 2020

[Lexology](#): “DOE Issues Emergency Order to Address California Electricity Shortage” [USA] 18 September 2020

[Lexology](#): “NJ enacts broad sweeping Environmental Justice Bill - S232 - ESG Focused” [USA] 18 September 2020

[Lexology](#): “The European Commission Signals ‘Doubling-Down’ on Climate Targets Despite Pandemic” 18 September 2020

[Science](#): Popkin G “Plant trees or let forests regrow? New studies probe two ways to fight climate change” 23 September 2020

[IEA](#): “The Netherlands 2020 - Energy Policy Review” September 2020

[StopGlobalWarming.eu](#): Climate change seriously harms your life

[Nature](#): “Arctic sea ice hits second-lowest level on record” 22 September 2020

[Lexology](#): “Federal Government Accepts Ontario's Emissions Performance Standards (EPS) Program for Regulation of Greenhouse Gas Emissions - Transition Dates to Come” 22 September 2020

[IISD](#) SDG Knowledge Hub: “Five Organizations to Create Single Set of Standards for Corporate Sustainability” 22 September 2020

[The Independent](#): Boyle L “‘It’s a climate bomb’: The ‘zombie’ fires driving a vicious circle of global heating” 26 September 2020

[The Independent](#): Cockburn H “Climate crisis: ‘Virtually impossible’ to hit global environment targets without new carbon capture technology, report says” 26 September 2020

[The Independent](#): Boyle L “Sea-level rise could claim 40% of beaches on Hawaii’s most visited island by 2050” 23 September 2020

- **Environmental enforcement**

CPR [Blog](#): Bratspies R “Environmental Justice is not Un-American” 21 September 2020

[Lexology](#): “The End of Regulation by Guidance Document?” [USA] 22 September 2020

[Lexology](#): “New Jersey Enacts Landmark Environmental Justice Law - Uncertainties Abound” 21 September 2020

- **Local government**

Thomas Reuters [Foundation](#): Batha E “Singapore, Helsinki and Zurich top index of world’s smartest cities” 17 September 2020

Thomas Reuters [Foundation](#): Rowling M “Cities promise to divest from fossil fuels to boost green recovery” 22 September 2020

[ICLEI](#): “Subnational & local governments ramp up advocacy for nature ahead of UN Summit for Biodiversity” September 2020

[ICLEI](#): Moore R “Cities: where climate action can have the most impact” 14 September 2020

[IISD](#) SDG Knowledge Hub: “Mexico Issues Sovereign SDG Bond for Most Vulnerable Municipalities” 22 September 2020

[Bizcommunity](#): “FAO launches Green Cities Initiative to help transform agri-food systems” 23 September 2020

- **Mining**

[Lexology](#): “Australia: Stuck in the middle - Court finds liquidators personally liable for environmental remediation costs” 23 September 2020

Thomas Reuters [Foundation](#): Zuker F “‘Nobody has done anything’: Amazon indigenous group decries illegal mining” 17 September 2020

- **Water, oceans, waste and chemicals**

[IISD](#) ENB: 33rd UN-Water Meeting 29 September 2020 | Online

[Lexology](#): “No time to waste - Victoria progresses recycling reform” 23 September 2020

[Lexology](#): “Challenges and opportunities for Queensland’s water infrastructure sector” 23 September 2020

[Lexology](#): “New California Medical Waste Law Impacts Out-of-State Manufacturers and Distributors with Costly Compliance Mandates” 21 September 2020

[The Independent](#): Marten A “When did we become a nation of litter louts?” [UK] 26 September 2020

- **Miscellaneous**

[IISD](#) ENB: “Nature for Life: Business and Finance Day” 24-28 September 2020 | Virtual

[IISD](#) ENB: “High-level Event on Financing for Development” 29 September 2020 | Virtual

[National Geographic](#): Richards SE “Why our minds can't make sense of COVID-19's enormous death toll” 22 September 2020

[IISD](#) SDG Knowledge Hub: “UN75 Declaration Calls for Multilateralism to Achieve Equal, Resilient World” 24 September 2020

[IISD](#) ENB: “Summary of the High-level Commemoration of the 75th Anniversary of the United Nations 21 September 2020 | Online

Thomas Reuters [Foundation](#): Blomberg M and Dara M “Land to lose: coronavirus compounds debt crisis in Cambodia” 21 September 2020

[IISD](#) SDG Knowledge Hub: “Civil Society Groups Introduce People’s Scorecard on Fifth Anniversary of SDGs” 22 September 2020

[Nature](#): Lewis D “Censored: Australian scientists say suppression of environment research is getting worse” 21 September 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club – Save the date

Last and final event for 2020: 28 October 2020

More information will follow later

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenview Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

Webber Wentzel: The Protection of Personal Information Act (POPIA) Webinar Series

Part 3: POPIA - Security, AI, breaches, managing the risks and engaging the regulator, crisis and reputation management

Date: Wednesday, 7 October 2020

Time: 11h00 to 12h00

More [information](#)

UP Enterprises: Online Environmental Law Course

Date: 16 November 2020

More [information](#)

ASSAf: Webinar: COVID-19 Public Health and Social Measures (PHSM) Implementation: A SADC Region Perspective

Date: 1 October 2020

Time: 12:00

[Registration](#) by 16:00 30 September 2020

Africa Centre: 'Getting into good trouble: Exploring the act of protest around the world'

Date: 29 September 2020

Time: 11:00 am EST

This programme can be viewed on The Africa's Centre Facebook, Twitter and Youtube pages during the above mentioned time slot. Prof Christof Heyns will be speaking about protecting the right to peaceful assemblies.

For more information, please click on the [link](#)

International

IUCN Webinar Series: Transboundary Water Governance for Water Security

- **Seminar 7: Transboundary Water Governance Panel**

Date: 30 September 2020

15:00 – 16:30 SAST/9:00 – 10:30 EDT

Registration and more information [here](#)

INECE: The Role of Community and Citizen Science in Environmental Compliance and Enforcement Series

- **Community Science and Water Pollution**

Date: Friday, 9 October 2020

Time: 10 am - 11:30 am EDT

More information

[Registration](#)

- **Community Science and Air Pollution**

Date: Friday, 23 October 2020

Time: 10 am - 11:30 am EDT

- **Indigenous and Community Monitoring Initiatives**

Date TBD

- **Emerging Government Strategies**

Date TBD

- **Looking Ahead: The Role of Community Science in Compliance and Enforcement Programs**

Date TBD

More details on upcoming sessions, dates, related publications, and experts, will be posted on our [program page](#) as they become available.

American Society of International Law's Disaster Law Interest Group: Yearbook of International Law webinar on Disasters and...."

Date: Tuesday 29 September 2020 (Microsoft Teams)

Time: 12 p.m. Washington DC time. Please find the [link](#) which you can cut and paste below to join.

NYU's Institute for Policy Integrity and the Volatility and Risk Institute at NYU Stern: Corporate Climate Risk: Assessment, Disclosure, and Action

Date: Friday, 2 October 2020

Time: 11:00 EST.

Open to all but [registration](#) is required.

More [information](#)

Tackling fossil fuel subsidies for a greener future: Is the WTO up to the task?

Date: 1 October 2020

Time: 09:00-10:30 am CEST

More [information](#)

[Register](#) for Geneva Trade week

KU Leuven: Kansas Law Review Symposium 2020 | Online event

Date: Friday, 16 October 2020

Time: 12:45 – 3:30 p.m.

Registration is [open](#). Virtual event login information will be shared with registrants before the event.

Queries: [Jenny Bartos](#)

Pace Law School Gilbert and Sarah Kerlin Lecture: Elizabeth Maruma Mrema, Executive Secretary of the Convention on Biological Diversity

Date: October 7 at 12:45pm EST (Zoom)

[Register](#)

NEWS

National

- **Climate change and energy**

Paton C “Gwede Mantashe gazettes 11,800MW of energy procurement” [Business Day](#) 25 September 2020 [subscription needed]

MacKenzie “BP to become integrated energy company as it moves away from oil and gas” [BusinessLive](#) 20 September 2020

Harvey F “Few countries living up to Covid 'green recovery' pledges – analysis” [The Guardian](#) 23 September 2020

Miriri D “Kenya's WTO candidate says she will focus on climate change if selected” [Reuters](#) 24 September 2020

Harvey F “Melting Antarctic ice will raise sea level by 2.5 metres – even if Paris climate goals are met, study finds” [The Guardian](#) 23 September 2020

Shoba S “SA protesters join global activists and take a stand for a just recovery and call for a green, new Eskom” [Daily Maverick](#) 25 September 2020

Creamer T “Green hydrogen economy growing rapidly – Hatch” [Mining Weekly](#) 25 September 2020

Arnoldi M “‘Emergency’ IPP power projects to be grid-connected by mid-2022” [Mining Weekly](#) 25 September 2020

Arnoldi M “DMRE confirms Eskom as buyer of renewable energy under REIPPPP Bid Window 5” [Mining Weekly](#) 25 September 2020

- **Local government**

Stent J “Province and City to appeal Tafelberg judgment” [GroundUp](#) 22 September 2020

Kretzmann S “Municipal tribunal gives go-ahead to mega-development at Two Rivers Urban Park” [GroundUp](#) 22 September 2020

Erasmus D “DSW tender fraud accused returns to work in new position” [The Mercury](#) 25 September 2020

Sidimba L “New law to bar foreigners doing business in Gauteng townships” [IOL](#) 26 September 2020

“South Africa: Limpopo Upgrades Water Infrastructure” [allAfrica](#) 25 September 2020

- **Mining**

Allsop G “Groundbreaking court judgment on mining and community rights” [GroundUp](#) 22 September 2020

Arnoldi M “Repurposing of mining land could help create farming jobs at scale” [Mining Weekly](#) 25 September 2020

- **Water, oceans, waste and chemicals**

Nocuze B “We cannot risk our lives by drinking dirty water” [GroundUp](#) 23 September 2020

Chiguvare B “Limpopo grandmother walks 2km to beg for water” [GroundUp](#) 22 September 2020

Mohamed S “Residents feel let down by Mahikeng municipality after taps run dry” [Daily Maverick](#) 24 September 2020

“Watch | Theewaterskloof Dam near full - Western Cape's water and sanitation dept” [News24](#) 26 September 2020

Campbell R “‘Green’ ship breaking facility planned in South Africa” [Engineering News](#) 23 September 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Benza B “Water toxins, bacteria kill hundreds of elephants in Botswana and Zimbabwe” [TimesLive](#) 22 September 2020

Rodriguez L “US House approves bill to address missing and murdered Indigenous people” [The Jurist](#) 22 September 2020

Shekhar R “We Must Bring an End to the Bru Tribe’s Exodus in India” [The Jurist](#) 21 September 2020

“Rescuers work to save whales in worst mass stranding in Australia's history – video report” [The Guardian](#) 23 September 2020

Packham C "Australia begins disposal of about 350 dead whales as rescue efforts end" [Reuters](#) 26 September 2020

Garrison C "In Argentina's ranch heartlands, dry winds fan blazes as firefighters battle for control" [Reuters](#) 25 September 2020

Nyaungwa N "Red locusts destroy 500 hectares Namibian grazing land, minister says" [Reuters](#) 25 September 2020

- **Climate change and energy**

"Experts differ on extent of nature-based offsets in net zero plans" [Carbon Pulse](#) 25 September 2020

Abnett K "China's carbon neutral pledge could curb global warming by 0.3°C: researchers" [Reuters](#) 23 September 2020

McDermott M "Vermont passes Global Warming Solutions Act, overriding governor's veto" [The Jurist](#) 25 September 2020

Fischer M "California to no longer sell gasoline powered vehicles starting in 2035" [The Jurist](#) 24 September 2020

Shukla S "EU [court](#) rejects Austria appeal to block Hinkley Point C nuclear power station" [The Jurist](#) 23 September 2020

O'Carroll L "UK risks losing contract for new climate research centre because of Brexit" [The Guardian](#) 26 September 2020

Slater D "Transition to green energy needs to happen as soon as possible, says think tank" [Engineering News](#) 25 September 2020

Campbell R "Russian and African organisations sign nuclear energy agreement" [Engineering News](#) 23 September 2020

Rowlatt J "Nuclear power: Are we too anxious about the risks of radiation?" [BBC](#) 27 September 2020

McGrath M "Climate change: China aims for 'carbon neutrality by 2060'" [BBC](#) 22 September 2020

Wacket M "Germany wants binding quota for CO2-free jet fuel: draft law" [Reuters](#) 25 September 2020

Gralow J "Frustrated Australian climate activist juggles school and a lawsuit" [Reuters](#) 25 September 2020

- **Local government**

Maas C "EU court rules cities can restrict short-term rentals" [The Jurist](#) 23 September 2020

"Brain-eating microbe: US city warned over water supply" [BBC](#) 27 September 2020

- **Mining**

"Polish coal unions agree to mine closures before 2050" [Carbon Pulse](#) 25 September 2020

Iannucci E “Gas industry to help with green plans” [Mining Weekly](#) 25 September 2020

Iannucci E “80 000 Australian mines need rehabilitation – Monash” [Mining Weekly](#) 25 September 2020

“Trump extends drilling ban off North Carolina, Virginia” [Reuters](#) 26 September 2020

- **Water, waste, oceans and chemicals**

Metz J “Walker Lake group to take water suit back to federal court” [Nevada Appeal](#) 25 September 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

The Water Research, Development, and Innovation (RDI) Roadmap Postgraduate Student Support Call

The Water RDI Roadmap Implementation Unit provides funding to support postgraduate students that are aligned to the priority themes/clusters of the Water RDI Roadmap.

We invite WRC Projects Leaders to apply on behalf of postgraduate students who they would like to link to their active WRC projects.

Selected students will be supported from January 2021 onwards.

Follow this [link](#) for the online application form.

Closing date for applications: 11 October 2020.

Cullinan & Associates: Consultant. Cape Town Western Cape

Are you an energetic, entrepreneurial attorney (preferably with your own clients) who would like to be part of a well-established specialist law firm and take home most of what you bill?

Cullinans is a specialist environmental and green business law firm based in Cape Town that has been in practice for 23 years. We value excellence, ethics and innovation. We are looking for lawyers who offer legal services that are compatible with the firm's core expertise (see [website](#)), can work independently, and would like to become part of the firm's management team. We are particularly interested in lawyers with experience/expertise relevant to business start-ups, renewable energy, food, public procurement and cannabis enterprises but are open to considering other ideas compatible with our brand.

Please [email](#) CV and covering letter.

University of Venda: Senior Lecturer Labour Law, Tax law, ADR

Closing date: 16 October 2020

More [information](#)

University of the Witwatersrand Mandela Institute: Senior Researcher

Closing date: 30 September 2020

More [information](#)

National Treasury: Graduate Internship Programme

Closing date: 30 September 2020

More [information](#)

South African Government Department of Labour: Deputy Director: Advocacy and Stakeholder Relations

Closing date: 5 October 2020

More [information](#)

South African Government Department of Labour: Deputy Director: BCEA Administration

Closing date: 5 October 2020

More [information](#)

South African Government Department of Labour: Specialist: Employment Standards

Closing date: 5 October 2020

More [information](#)

North West Provincial Legislature – several positions

- Deputy Secretary: Legislature Operations
- Manager: Corporate governance, policy and legal
- Employee and Labour Relations Specialist

Closure date: 9 October 2020 12:00

More information: 018 3927257/7129

International

The Bonaverio Institute of Human Rights is seeking to recruit an outstanding human rights scholar in human rights as a Senior Research Fellow and Head of Research

The successful candidate will engage in their own research, lead their own research projects and raise research funding both on their own behalf, and in order to develop the research community at the Institute, be responsible for working with the Director and Head of Programmes of the Institute in relation to developing strategic planning of the Bonaverio Institute. The Head of Research will also be responsible for initiating and implementing long-term research programmes in the broad fields of human rights, the rule of law and constitutionalism that may be inter-disciplinary in character. Finally, as Head of Research the postholder will be expected to undertake supervision of a small number of graduate students and/or present a modest amount of graduate teaching in the field of human rights in the Faculty of Law.

Applicants should have an outstanding record of published scholarship in fields relevant to human rights law or public law, commensurate with career stage; a doctorate in law in a field related to human rights, whether in public or public international law or an established record of accomplishment in research; an intellectually ambitious research agenda, likely to make a substantial contribution to human rights scholarship, with a plan to develop both their own research and the Bonaverio community of scholars; experience or demonstrated potential in obtaining research funding, as well as in developing and implementing collaborative funded research projects and sufficient teaching experience and depth of knowledge to teach and supervise graduate students in one or more fields relevant to human rights law or public law. Knowledge of key national and international research funders in the field and experience as a principal investigator in research-council funded research projects is desirable.

The postholder will be based at the Bonavero Institute of Human Rights, Mansfield College, Oxford, OX1 3TF. The post is full-time and in principle permanent, although applications from suitable candidates who would prefer to work on a part-time or a secondment basis will be considered.

In cases of particular merit, the Faculty may make a recommendation to the Social Sciences Division for the conferral of the title of Professor or Associate Professor on appointment as appropriate. The closing date for applications is midday on Friday 23 October 2020. We plan to hold interviews on Monday 16 November 2020

You will be required to upload a CV and supporting statement as part of your on line application.

To apply for this post and for further details, including the job description and selection criteria, please use to the [link](#).

Vacancy ID: 147514

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.



A Public Benefit Organisation



ELA NEWSLETTER 40

2 October 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere!

Keep safe and keep contact via Facebook, the website, upcoming workshops and our ELA Streaming Club.

POLICY

Department of Environment, Forestry and Forestry "South Africa's Low-Emission Development [Strategy](#) 2050" (February 2020)

DIRECTIONS

Disaster Management Act 57 of 2002 - Directions

- GN R1031 in GG 43751 of 1 October 2020 - Consolidated Direction on Occupational Health and Safety Measures in Certain Workplaces published and GN R639 in GG 43400 of 4 June 2020 withdrawn
- GN 1052 in GG 43762 of 1 October 2020 - Directions relating to norms and standards for religious gatherings
- GN 1032 in GG 43752 of 1 October 2020 - International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended
- GN 1034 in GG 43754 of 1 October 2020 - Measures to prevent and combat the spread of COVID-19 in cross-border road transport, 2020
- GN 1033 in GG 43753 of 1 October 2020 - Sea Ports Directions, 2020 published in GN 496 in GG 43275 of 4 May 2020 amended
- GN 1029 in GG 43749 of 30 September 2020 - Sixth Amendment Directions to the Directions published in *Government Gazette* No. 43162, Government Notice No. 416 of 26 March 2020

NOTICES

Disaster Management Act 57 of 2002 - GN 1053 in GG 43763 of 1 October 2020 - Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended

Agricultural Product Standards Act 119 of 1990 – Gen Notice 528 in GG 43758 of 2 October 2020 - Product Control for Agriculture (Prokon): Proposed inspection fees - for comment

Public Protector Act 23 of 1994 - GN 1047 in GG 43758 of 2 October 2020 - Amendment Rules Relating to Investigations by the Public Protector and Matters Incidental thereto, 2020

National Water Act 36 of 1998 - GN 1050 in GG 43758 of 2 October 2020 - Proposed Reserve of water resources for the Crocodile West and Marico catchment - for comment

National Forests Act 84 of 1998 - GN 1023 in GG 43742 of 29 September 2020 - Extension of time period to comment on notice of intention to declare the Grey Dell and Fort Grey forest areas as natural forest and controlled forest area published for comment in GN 972 in GG 43699 of 10 September 2020 and GN 973 in GG 436700 of 10 September 2020

National Environmental Management Act 107 of 1998 - GN R1026 in GG 43747 of 30 September 2020 - Draft Regulations to prohibit the production, distribution, import, export, sale and use of persistent organic pollutants - for comment

Legal Metrology Act 9 of 2014 - GN R1028 in GG 43748 of 30 September 2020 - Legal Metrology Regulations: Extension by 6 months of the period in which equipment contemplated in reg. 2 (2) may be used

PROVINCES

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 195 in PG 4450 of 28 September 2020 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions for a further month

Gauteng

Gauteng Township Economic Development Bill, 2020 - PN 467 in PG 182 of 30 September 2020 - memorandum on the objects of the bill - for comment

Limpopo

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 100 in PG 3106 of 2 October 2020 - Capricorn District Municipality - Appointment of Municipal Planning Tribunal Members

Mpumalanga

National Environmental Management Act 107 of 1998 - PN 102 in PG 3195 of 2 October 2020 - Environmental Impact Assessment Process

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 79 in PG 3195 of 2 October 2020 - Nkomazi Local Municipality - Spatial Planning and Land Use Management By-law

INTERNATIONAL

[Convention for Biodiversity](#): Leaders' [Pledge](#) for Nature - United to Reverse Biodiversity Loss by 2030 for Sustainable Development September 2020

CASES

National

Bilankulu and Another v S (188/2020) [2020] [ZASCA](#) 114 (29 September 2020)

“Summary: Criminal Law and Procedure – murder – deceased shot by unidentified person in shootout with the authorities – accused had *dolus indeterminatus* to commit murder – unlawful hunting of rhinoceros in state reserve – s 31(3) of Limpopo Environmental Management Act 17 of 2003 – s 252A of Criminal Procedure Act 51 of 1977 – entrapment not going further than providing opportunity to commit the offence – evidence of trap automatically admissible – s 35 of Constitution – evidence of cell phone records not disclosed before trial admitted in evidence – belated disclosure not causing trial prejudice.

Sentence – imposition of non-parole period – appellants not afforded an opportunity to address the trial court on the issue – not providing reasons for imposing non-parole period – misdirection – cumulative effect of sentence not considered – constitutes misdirection.”

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Daily Maverick](#): De Waal L “Zoonotic disease: Study warns about cuddling, keeping and slaughtering farmed lions” 30 September 2020

[IOL](#): “Is a bacteria killing elephants in Zimbabwe and Botswana?” 30 September 2020

[The Conversation](#): Helm C “Fossil tracks reveal which birds once roamed South Africa’s Cape south coast” 4 October 2020

[The Conversation](#): Perreira L “Now’s the time to share ideas about the future for people and nature” 1 October 2020

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: “Slovakia, Singapore, South Africa Chart National Paths to Low-carbon Future” 1 October 2020

[Business Day TV](#): Watch: Low emission development strategy underpins just transition” – Minister Barbara Creecy and Andrew Gilder (ClimateLegal) 2 October 2020

[Daily Maverick](#): Frankel J “The Covid-climate nexus and the quest for a win-win solution” 1 October 2020

[Daily Maverick](#): Swilling M “Load shedding will cripple our economic recovery – we must bring renewables onstream fast” 30 September 2020

[Daily Maverick](#): Montmasson-Clair G “South Africa in a low-carbon world: Trade green or trade not” 29 September 2020

[Daily Maverick](#): Walters T “South African seas up to 30m higher show a wet planet under siege” 28 September 2020

[Bizcommunity](#): “Positioning women as the engine of growth in the oil and gas industry” 2 October 2020

[Daily Maverick](#): “South Africa: Minister Barbara Creecy - Resilience, Gender and Global Climate Action Round Table” 1 October 2020

- **Environmental enforcement**

[Webber Wentzel](#): “New Covid-19 directions call for the resumption of activities and processes in respect of environmental permits and licences” 29 September 2020

- **Local government**

[Daily Maverick](#): Ellis E “National government asked to intervene in ‘collapsing’ Sakhisizwe municipality” 1 October 2020

[Daily Maverick](#): Ellis E “Graaff-Reinet municipal landfill in chaos as officials promise to draft a new plan” 28 September 2020

[Bizcommunity](#): Anderson A “Ramaphosa lauds Balwin’s mega city development in Mooikloof Pretoria” 4 October 2020

[allAfrica](#): “South Africa: Water and Sanitation On Decline in KwaZulu-Natal Dam Levels” 1 October 2020

- **Mining**

[Lexology](#) Fasken: “Meaningful Consultation - High Court declares that interested and affected parties are entitled to be furnished with a copy of mining right application upon request” 22 September 2020

- **Miscellaneous**

[amaBhugane](#): Cowan K “New York court grants IDC access to Gupta financial records from 17 international banks” 21 September 2020

[Daily Maverick](#): Reddy S “Toxic spray drift: The invisible clouds that can cause severe illness” 30 September 2020

Africa

- **Biodiversity, protected areas and culture**

[Namibianonline](#): Shihepo T “Fishrot fashionista: Nghipunya’s rise and reckoning” 2 October 2020

[allAfrica](#): “Africa: 'All Senegalese Feel the Burn' - Greenpeace Africa Reacts to the Tragedy Between an Industrial Fishing Vessel and an Artisanal Fishing Pirogue in West Africa” 30 September 2020

[allAfrica](#): Bizimungu J “Rwanda: Wildlife Conservation to Go Commercial Under New Law” 1 October 2020

[allAfrica](#): Wangui J “Kenya: Suspected Wildlife Trafficker on U.S. 'Wanted List' to Remain in Police Custody” 1 October 2020

[allAfrica](#): “Zimbabwe: 'Climate Change Threat to Biodiversity Conservation'” 1 October 2020

[allAfrica](#): Ngumbi E “Africa: Restoring Ecosystems After Fire and Flooding - Forget Not the Beneficial Soil Microbes” 1 October 2020

[The Independent](#): Ledger E “Stop The Illegal Wildlife Trade: The fight to save giraffes gets political ahead of US election” 4 October 2020

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: “Global Center on Adaptation Sets Up Regional Home in Africa” 1 October 2020

[Daily Maverick](#): “Nigeria May Sell Stake in State Oil Company in Industry Overhaul” 30 September 2020

[allAfrica](#): “Liberia: Govt Gets U.S.\$9.5 Million for Climate Resilience” 1 October 2020

[allAfrica](#): Amadala V “Africa: Going to Waste” 1 October 2020

- **Local government**

[allAfrica](#): “South Africa: Water and Sanitation On Emfuleni Water Projects Stoppage” 1 October 2020

- **Mining**

[Mining Weekly](#): Arnoldi M “Hydropower becoming increasingly viable for miners in DRC” 1 October 2020

- **Water, Oceans, waste and chemicals**

[Bizcommunity](#): “Cheap plastic is flooding developing countries - we're making new biodegradable materials to help” 29 September 2020

[AllAfrica](#): Babajide Owonikoko S “West Africa: The Key to Peace in the Lake Chad Area Is Water, Not Military Action” 30 September 2020

- **Miscellaneous**

[Bizcommunity](#): LexisNexis “Case law insights advancing the rule of law” 28 September 2020

[allAfrica](#): “Africa: Christiana Figueres Replaces Greta Thunberg at the 10th Tutu Peace Lecture” 2 October 2020

[The Conversation](#): Hughes K “Key insights into land degradation from seven African countries” 4 October 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Lexology](#): “UN Biodiversity Summit - the business risk of biodiversity degradation” 30 September 2020

[IISD](#) SDG Knowledge Hub: “UN Biodiversity Summit Supports 2030 Agenda-aligned Post-2020 Framework” 1 October 2020

[IISD](#) SDG Knowledge Hub: “[Brief](#) Explores the Role of the Governance in Protecting Global Biodiversity” 1 October 2020

[Mail and Guardian](#): Teegee T “A healthy Earth needs its indigenous people” 29 September 2020

[Science](#): Learn JR “Watch gray sharks get dinner by ‘bumming’ food from hard-hunting whitetips” 2 October 2020

[Science](#): Pennisi E “As wildfires continue in western United States, biologists fear for vulnerable species” 30 September 2020

[The Independent](#): Duncan C “Dozens of birds of prey illegally shot, trapped and poisoned in 2019, RSPB report finds” 1 October 2020

[The Independent](#): Giordano C “Woods that inspired Beatrix Potter could be lost as record 40,000 trees infected by ash dieback” 2 October 2020

- **Climate change and energy**

Nature [Podcast](#): Thompson B and Bundell S “Greenland's ice will melt faster than any time in the past 12,000 years” 30 September 2020

[Lexology](#): “Climate change and sustainability: lessons learned from COVID-19 and resolving disputes by arbitration” 1 October 2020

[Lexology](#): “Supreme Court of Canada hears carbon tax constitutionality appeals” [Canada] 25 September 2020

[Lexology](#): “Climate Change Litigation in Brazil and Latin America: An Increasing Trend That Companies Must Be Prepared For” 29 September 2020

[Lexology](#): “California is Going All-In with Zero Emission Vehicles—No Gas Engine Sales Starting in 2035” 29 September 2020

[Lexology](#): “NY Department of Financial Services Announces Initiatives to Address Financial Risks from Climate Change for Insurers” 29 September 2020

[Lexology](#): “Growing calls for mandatory climate related financial disclosures across the political spectrum” [UK] 30 September 2020

[IISD](#) SDG Knowledge Hub: “High-level Roundtable Links Sustainable COVID-19 Recovery to Paris Agreement” 1 October 2020

[Mail & Guardian](#): Lenferna A “We cannot afford incremental action on climate change” 24 September 2020

[Science](#): Voosen P “Europe is building a ‘digital twin’ of Earth to revolutionize climate forecasts” 1 October 2020

[Science](#): Normile D “Can China, the world’s biggest coal consumer, become carbon neutral by 2060?” 29 September 2020

[Science](#): Hicks L “Flower colors are changing in response to climate change” 28 September 2020

- **Environmental enforcement**

[Lexology](#): “A Preliminary Assessment of the Plague Year: How COVID May Interfere with Environmental Due Diligence and Liability Protections in New Jersey” 30 September 2020

[Lexology](#): “At a glance: enforcement of environmental law in Germany” 24 September 2020

- **Water, oceans, waste and chemicals**

[IISD](#) SDG Knowledge Hub: “Prevention Week Pushes Global Phase Out of Lead Paint” 1 October 2020

[Mail & Guardian](#): Marchaud C “Hair to the rescue as oil spills blight coastlines” 27 September 2020

[The Independent](#): Skopeliti C “Tumble dryer lint can cause ‘significant’ damage to marine animals, study shows” 2 October 2020

- **Miscellaneous**

[Lexology](#): “European Commission notified of illegal levels of air pollution in Ireland for first time since 2009” 30 September 2020

[Lexology](#): “Farming noise and environmental nuisance in Queensland” 29 September 2020

[IISD](#) SDG Knowledge Hub: Leone F and Wagner L “The SDGs Bring Focus for ‘We the Peoples’ of the United Nations” 1 October 2020

[IISD](#) SDG Knowledge Hub: Horan D “Assessing Baselines and Coordinating Actions for the SDGs Decade of Action” 1 October 2020

[IISD](#) SDG Knowledge Hub: Grünbüchel C “Let’s Get the SDGs Back on Track: Insights from Latin America and Asia” 1 October 2020

[IISD](#) SDG Knowledge Hub: Oosterhoff PD “The 2030 Agenda as Blueprint for a Post-COVID World” 1 October 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club – Save the date

Last and final event for 2020: 28 October 2020

More information will follow later

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- o **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenview Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

UP Enterprises: Online Environmental Law Course

Date: 16 November 2020

More [information](#)

African Coalition for Corporate Accountability (ACCA) and the Centre for Applied Legal Studies (CALS): Towards an African response to the Second Revised Draft of the Treaty on Business and Human Rights

A webinar on the Second Revised Draft of the Treaty on Business and Human Rights. The webinar will be an opportunity for Africans to discuss the draft, highlight its strengths and weaknesses and reflect on the prospects of galvanising state support for its adoption.

Tuesday 6 October 2020 Webinar (Zoom)

Time: 09:00 GMT / 10:00 WAT / 11:00 SAST / 12:00 EAT

More [information](#) and registration

The Civic Tech Innovation Network (CTIN) in partnership with Konrad-Adenauer-Stiftung's Strong Cities 2030 programme would like to extend an invitation to the "Smarter Cities" series at the Urban Festival 2020 which is being hosted by South Africa.

The "Smarter Cities" series offers weekly Prime Time virtual webinars during "Tech Tuesdays" for international perspectives, cases, and demonstrators on how we can think about cities & technology. The sessions are suited to the wide spectrum of urban actors who participate to city-making, and will provide the opportunity to engage and connect with exciting speakers and peers.

The Registration links for the Smarter Series sessions follow:

Session #1 - "Smarter Cities & CONSCIOUSNESS"

Tuesday, 06 October 2020, 02:00 PM -04:00 PM (CAT/GMT+2)

The focus of the session: How do we engage with tech and cities while shifting our consciousness to focus on what matters and is meaningful for humanity to survive and thrive on this planet?

Session registration [link](#)

Session #2 - "Smarter Cities & IMAGINATION"

Tuesday, 13 October 2020, 02:00 PM -04:00 PM (CAT/GMT+2)

The focus of the session: [How] Can we transform our cities and settlements towards more sustainable and fulfilling possibilities through engaging our imaginations? What kinds of imaginings interest or excite you when you think about the future [African] city?

Session registration [link](#)

Session #3 - "Smarter Cities & PARTICIPATION"

Tuesday, 20 October 2020, 02:00 PM -04:00 PM (CAT/GMT+2)

The focus of the session: How can we engage communities/stakeholders in "smart city" making? What are lessons from around the world? What principles and cautions emerge for thinking about the future of African city-making?

Session registration [link](#)

Session #4 - "Smarter Cities: POLICY & ACTION"

Tuesday, 27 October 2020, 02:00 PM -04:00 PM (CAT/GMT+2)

The focus of the session: A panel discussion on how South Africa is taking on the "smart city" concept - Practically, what does a "Smart City South Africa" agenda entail? Who has done what / what progress has been made? Where is the attention needed?

Session registration [link](#)

Visit the [Urban Conference 2020 website](#) or [CivicTech.Africa](#) to find and register for more events, including our Wednesday Civic Tech Masterclasses and Thursday JAMcafé sessions which will all reflect on aspects of urban live in an age of digitalisation:

International

12th Annual Lesley K. McAllister Symposium of Climate and Energy Law

- **Webinar 1: Climate Equity**
Date: 6 November 2020
Time: 9:30 am to 11:30 am SAST
Registration
- **Webinar 2: Regulation in times of emergency**
Date: 11 November 2020

Time: 9.30 am to 11:30 am SAST
More [information](#) and registration

ULI Nashville: Renewables, Carbon, and Economic Competition Among Peer Cities: A Discussion on the "Nashville Carbon Competitiveness [Report](#)"

Date: 8 October 2020

Time: 12:00 -13:00 CDT

More information and [registration](#)

UUMILC2021 11th UUM International Legal Conference – virtual conference: Law and Society: Embracing new norms

Date: 24-25 March 2021

[Website](#)

More [information](#)

NEWS

National

- **Biodiversity**

Stoddard E “SANParks puts down seven Karoo NP lions that posed threat to humans and livestock” [Daily Maverick](#) 4 October 2020

- **Climate change and energy**

Majola N “Climate strike march held in Durban” [GroundUp](#) 2 October 2020

Maeko T “Renewables will light up the darkness” [Mail & Guardian](#) 3 October 2020

Senekal de Wet A “First new steam generator to extend life of Koeberg” [IOL](#) 30 September 2020

Creamer T “Renewed hope for industrialisation and transformation ahead of wind procurement” [Engineering News](#) 2 October 2020

Creamer T “Creecy hints to inclusion of green components in economic recovery plan” [Engineering News](#) 2 October 2020

- **Local government**

Damba-Hendrik N “Families drink from drains as water trucks break down” [GroundUp](#) 29 September 2020

Creamer T “City of Cape Town drafting ‘mini IRP’ as it prepares way for IPP procurement” [Engineering News](#) 2 October 2020

- **Mining**

Stoddard E “Newsflash: Three strikes: NUM union to down tools at De Beers, Petra Diamonds and Exxaro” [Daily Maverick](#) 2 October 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Pagach S “Federal appeals court reverses ruling on American Samoa fishing grounds” [The Jurist](#) 28 September 2020

Batchelor T “HS2 treehouse protesters in standoff with police and eviction teams over ‘destruction of ancient wood’” [UK] [The Independent](#) 2 October 2020

Boyle L “Five takeaways from UN Summit on Biodiversity” [The Independent](#) 1 October 2020

Dalton J “‘England’s rainforests are burning’: Government faces pressure to fulfil pledge to ban peat-burning” [The Independent](#) 1 October 2020

Cockburn H “Biodiversity crisis: US, China, Australia and Brazil refuse to sign pledge to reverse damage to natural world” [The Independent](#) 29 September 2020

Hancock S “California wildfires: Haunting images show devastation caused by latest blaze” [The Independent](#) 29 September 2020

Ng K “Boris Johnson pledges to protect 30% of UK land as world leaders sign commitment to act on climate crisis” [The Independent](#) 28 September 2020

Parkham P “‘Rarest fern in Europe’ discovered in Ireland” [The Guardian](#) 4 October 2020

Kommenda N “Planetary ‘safety net’ could halt wildlife loss and slow climate breakdown” [The Independent](#) 29 September 2020

Briggs H “Covid-19: Funding crisis threatens zoos’ vital conservation work” [BBC](#) 1 October 2020

Desantes D “Paraguay declares state of emergency as forest fires rage” [Reuters](#) 2 October 2020

“For sale: 100 Namibian buffalos, buyers must ‘bear all risks’” [Reuters](#) 2 October 2020

“Brazil Supreme Court justice demands explanation on weakened coastal forest law” [Reuters](#) 2 October 2020

“German workers start felling trees to build road despite protests” [Reuters](#) 1 October 2020

“Bolivia struggles to contain fires scorching farms, forests” [Reuters](#) 1 October 2020

- **Climate change and energy**

“EU nations must agree on 2030 GHG target by year-end -German environment minister” [Carbon Pulse](#) 1 October 2020

UK govt fines BP, Repsol Sinopec over EU ETS infractions” [Carbon Pulse](#) 1 October 2020

“Colorado seeks further evaluation of LCFS in climate policy roadmap” [Carbon Pulse](#) 1 October 2020

“Switzerland’s offset purchases come into play after last-gasp UN ratification” [Carbon Pulse](#) 2 October 2020

“San Diego County scraps climate plan after court rules against voluntary offset programme” [Carbon Pulse](#) 2 October 2020

Gujral Z “Japan court orders payment of damages to Fukushima nuclear accident victims” [The Jurist](#) 2 October 2020

Hurley L “Supreme Court takes up energy companies’ appeal over Baltimore climate suit” [Reuters](#) 2 October 2020

Stanway D “Energy security and economic fears drive China’s return to coal” [Reuters](#) 1 October 2020

Jones H “Global accounting rule-setter seeks views on sustainability standards” [Reuters](#) 30 September 2020

Cervantes M “Indigenous activists occupy Petroperu pipeline facilities over healthcare demands” [Reuters](#) 29 September 2020

Amelang S, Appunn K and Wettengel J “EU climate target of -55% would mean near-exit from coal in 2030 – experts” [Clean Energy Wire](#) 2 October 2020

- **Environmental enforcement**

“Mossmorran: Environmental officers probe chemical plant flaring” [BBC](#) 4 October 2020

- **Local government**

“Somerset and Taunton Council declares ecological emergency” [BBC](#) 1 October 2020

- **Mining**

Cockburn H “Climate crisis: Controversial new 850-well gas project given green light by New South Wales government” [The Independent](#) 30 September 2020

“Whitehaven coal mine approved for third time” [BBC](#) 3 October 2020

Macauley C “Lough Neagh: Sand dredging approval ‘assault on environment’” [BBC](#) 1 October 2020

“Colombia environmental authority shelves Soto Norte mine license application” [Reuters](#) 4 October 2020

Grrom N “Trump public lands agenda threatened by new court ruling – lawyers” [Reuters](#) 30 September 2020

- **Water, waste, oceans and chemicals**

Gillett MT “Federal appeals court rules Pueblo Indian water rights were not extinguished by Spain” [The Jurist](#) 30 September 2020

McDermott M “California approves recycled content requirements for plastic bottles” [The Jurist](#) 28 September 2020

Tidman Z “Plastic straw ban comes into force in England” [The Independent](#) 1 October 2020

Silvestri M “Mose flood barrier finally holds the waters back for fragile Venice” [Reuters](#) 3 October 2020

Munthe BC and Nagnoy F “Indonesia says battery-grade nickel project drops deep-sea waste plan” [Reuters](#) 2 October 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

University of the Free State: Department of Mercantile Law: Programme Director: Centre for Labour Law

Closing date: 9 October 2020

More [information](#)

IOM Internationale Organisation für Migration - VN 2020 211 Regional Research Officer (P2) Pretoria, South Africa

Closing date: 15 October 2020

More [information](#)

International

[Dean of Law](#)

University of Tasmania Faculty of Law

[PhD Position in Contemporary and Emerging Environmental Issues](#)

Monash University

[PhD Position in Reuse Organisations, Land Use Planning, and the Circular Economy](#)

[Faculty Position in Law](#)

Ryerson University Faculty of Law

[Faculty Position in Race and the Law](#)

Ryerson University Faculty of Law

[Faculty Position in Indigenous Law](#)

University of Ottawa Common Law

[Assistant / Associate Professor in Law](#)

Roskilde University Department of Social Sciences and Business

[Professor of Law](#)

University of Helsinki Faculty of Law

[Postdoctoral Researcher in Intellectual Property, Finance, Innovation and Sustainability](#)

University of Helsinki Faculty of Law

[Postdoctoral Fellow in Technology Law](#)

University of Hong Kong Department of Law

[Assistant Professor of Environmental and Sustainability Governance](#)

Utrecht University

[PhD Position in Legal Sciences](#)

Utrecht University School of Law

[Research Fellow in Cities and Innovation](#)

Singapore University of Technology and Design Lee Kuan Yew Centre for Innovative Cities

[Postdoctoral Position in Law](#)

University of Zurich Faculty of Law

[PhD Position in Law](#)

University of Zurich Faculty of Law

[PhD Position in Law, Philosophy or Ethics, History, Gender Studies, or Theology](#)

University of Zurich Faculty of Law

[Faculty Position in Climate Change and Sustainable Development](#)

National Taiwan University

[Associate Professor / Professor in Law](#)

Columbia University New York School of Law

[Instructor in Human Rights](#)

University of Chicago Social Sciences Collegiate Division

[Senior Instructor of Environment and Natural Resources Policy](#)

University of Colorado Boulder Masters of the Environment

[Faculty Instructor Adjunct in Law](#)

University of Pittsburgh School of Law

[Faculty Instructor Adjunct in Law](#)

University of Pittsburgh School of Law

[Faculty in Law](#)

University of Chicago Law School

[Lecturer in Law](#)

University of Chicago Law School

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[*Legalbrief Environmental*](#)
and the
[*South African Journal of Environmental Law and Policy*](#).
Discount available for ELA members.



A Public Benefit Organisation



ELA NEWSLETTER 41

9 October 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere!

Keep safe and keep contact via Facebook, the website, upcoming workshops and our ELA Streaming Club.

We shall launch a new website early November

DIRECTIONS

Disaster Management Act 57 of 2002 – Directions

- GN 1057 in GG 43772 of 5 October 2020 - Directions for a National Framework for Tuition and Accommodation Fees for Academic Year 2020 in the Public Higher Education Institutions
- GN 1064 in GG 43778 of 7 October 2020 - Directions relating to biodiversity auctions
- GN 1056 in GG 43771 of 3 October 2020 - Directions relating to norms and standards for religious gatherings published in GN 1052 in GG 43762 of 1 October 2020 amended and GN 609 in GG 43365 of 28 May 2020 withdrawn
- GN 1062 in GG 43776 of 7 October 2020 - Gatherings relating to sport, arts and culture activities published and GN 461 in GG 43226 of 9 April 2020 amended
- GN 1063 in GG 43777 of 7 October 2020 - Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended

NOTICES

Department of Environment, Forestry and Fisheries - GN 1079 in GG 43784 of 9 October 2020 - United Nations Framework Convention on Climate Change (UNFCCC) - Draft Biennial Update Report-3 for the Republic of South Africa – for comment

Petroleum Products Act 120 of 1977 - GN R1058 in GG 43774 of 6 October 2020 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R946 in GG 43669 of 1 September 2020 substituted with effect from 7 October 2020

Petroleum Products Act 120 of 1977 - GN R1059 in GG 43774 of 6 October 2020 - Regulations in respect of petroleum products published in GN R947 in GG 43669 of 1 September 2020 substituted with effect from 7 October 2020

Petroleum Products Act 120 of 1977 - GN R1060 in GG 43774 of 6 October 2020 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 7 October 2020

National Water Act 36 of 1998 - GN 1079 in GG 43784 of 9 October 2020 - Proposed amendment of the Breede-Gouritz Water Management Area through extending the boundary and area of operation to include the Berg-Olifant Water Management Area - for comment

Promotion of Access to Information Act 2 of 2000 - GN 1076 in GG 43784 of 9 October 2020 - Department of Human Settlements: Section 14 manual

Traditional Leadership and Governance Framework Act 41 of 2003 - GN 1078 in GG 43784 of 9 October 2020 - Recognition of King Luzuko Matiwane as the King of Amampondomise Kingship in the Republic of South Africa

Legal Practice Act 28 of 2014 – Gen Notice 547 in GG 43784 of 9 October 2020 South African Legal Practice Council - Proposed amendment to Rules of the Council - for comment

Legal Practice Act 28 of 2014 – Gen Notice 548 in GG 43784 of 9 October 2020 - Proposed amendments to Rules of the Council - for comment

PROVINCES

Free State

Public Finance Management Act 1 of 1999 and Division of Revenue Act 4 of 2020 - PN 37 in PG 63 of 9 October 2020 - Allocations to various local municipalities for the payment of Auditor General

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 3 of 2000 - LAN 80 in PG 3197 of 9 October 2020 - Nkangala District Municipality - Air Quality Management By-law, 2015

INTERNATIONAL

[Doha Amendment](#) adopted by Decision 1/CMP.8 at the eighth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 8), in Doha, Qatar, in 2012

[Progress](#) – “The Amendment will formally enter into force within 90 days from 1 October 2020, when the 144th instrument of acceptance was received by the Depositary.” [IISD SDG Knowledge Hub 5 October 2020]

CASES

International

[Optimus Steel, LLC v. U.S. Army Corps of Engineers](#), No. 1:20-cv-00374 (E.D. Tex., filed Sept. 10, 2020 and order Oct. 4, 2020) [October 2020 Sabin Center for Climate Change Law Update]

“The federal district court for the Eastern District of Texas denied a steel mill owner’s motion for a preliminary injunction barring construction of a gas pipeline that will cross the plaintiff’s property. The owner asserted that the U.S. Corps of Engineers violated NEPA, the Clean Water Act, the Endangered Species Act, and the Administrative Procedure Act by reauthorizing and reissuing Nationwide Permit 12 (NWP-12) and by approving the pipeline under NWP-12. The court found that the steel mill owner was unlikely to succeed on the merits because it did not have standing under NEPA or the Endangered Species Act and its Clean Water Act claim failed. (The steel mill owner’s allegations in support of its NEPA claim included that the Corps failed to adequately analyze NWP-12’s climate change impacts including potential increased lifecycle greenhouse gas emissions.) The court also found that the plaintiff did not show irreparable harm or that the balance of equities or public interest weighed in its favor.”

[WildEarth Guardians v. Bernhardt](#), No. 1:20-cv-01035 (D.D.C. Sept. 30, 2020) [October 2020 Sabin Center for Climate Change Law Update]

“WildEarth Guardians and federal defendants reached an agreement for dismissal of one portion of an Endangered Species Act lawsuit challenging the defendants’ failure to make final listing determinations on five aquatic species. Pursuant to the agreement, the defendants agreed to submit a determination as to whether the listing of the narrow-foot hygrotus diving beetle as threatened or endangered is warranted for publication in the *Federal Register* by August 15, 2023. WildEarth Guardians agreed to dismiss with prejudice its claim based on the narrow-foot hygrotus diving beetle. The complaint alleged that WildEarth Guardians petitioned for listing of the beetle due to the organization’s concern that the beetle “will be unable to adapt and keep pace with changing climatic conditions, especially in light of the species’ restricted range.”

[*Center for Biological Diversity v. U.S. Fish & Wildlife Service*](#), No. 2:19-cv-14243 (S.D. Fla. Sept. 16, 2020) [October 2020 Sabin Center for Climate Change Law Update]

“The federal district court for the Southern District of Florida granted summary judgment to the Center for Biological Diversity (CBD) in a case challenging the Secretary of the Interior’s decision not to list the Florida Keys mole skink as endangered or threatened under the Endangered Species Act. The skink is a lizard that lives only on islands of the Florida Keys; its habitat is threatened by sea level rise. The court found that the U.S. Fish and Wildlife Service (FWS) did not explain why it relied on one set of habitat loss projections while also crediting 2017 projections by the National Oceanic and Atmospheric Administration that indicated sea levels were rising 15% faster. The court also found that the FWS needed to explain its conclusion that habitat threats were uniform across the skink’s range notwithstanding non-uniform rates of inundation by sea level rise. The court was not persuaded, however, that the FWS acted arbitrarily and capriciously by limiting the foreseeable future to 2060, though the court said the FWS should consider on remand whether its approach to Geoplan would affect its conclusions regarding the foreseeable future. The court also rejected CBD’s other arguments, including an argument that the FWS disregarded climate change effects other than sea level rise such as storm surge and saltwater intrusion.”

[*Competitive Enterprise Institute v. U.S. Department of State*](#), No. 17-cv-02032 (D.D.C. Sept. 15, 2020) [October 2020 Sabin Center for Climate Change Law Update]

In a FOIA lawsuit brought by Competitive Enterprise Institute, a federal district court in the District of Columbia ruled that the U.S. Department of State properly withheld a legal memorandum that accompanied an “action memorandum” seeking authorization from the Secretary of State to join the Paris Agreement. The court found that the legal memorandum met the criteria for the deliberative process privilege because it was predecisional and deliberative and did not constitute the “working law” of the State Department. The court rejected CEI’s argument that because a document appearing to be the legal memorandum had been posted on the internet, the memorandum fell outside the FOIA exemption under the “public domain doctrine.”

[*Swomley v. Schroyer*](#), No. 1:19-cv-01055 (D. Colo. Sept. 3, 2020) [October 2020 Sabin Center for Climate Change Law Update]

“The federal district court for the District of Colorado upheld the U.S. Forest Service’s approval of a timber project authorizing logging on 1,631 acres in the White River National Forest in Colorado. The court rejected three claims under NEPA, including an argument that the Forest Service failed to consider foreseeable greenhouse gas emissions and the project’s indirect and cumulative effect on global warming. The court found that the petitioners did not show that emissions from the project—which the court characterized as a “relatively small timber and biomass project”—would likely result in a cumulatively significant impact. The court distinguished this case from other cases in which consideration of emissions was required,

indicating that in those cases “the significance of emissions was often beyond doubt.”

[Little Rock Downtown Neighborhood Association, Inc. v. Federal Highway Administration](#), No. 4:19-cv-00362 (E.D. Ark. Sept. 3, 2020) [October 2020 Sabin Center for Climate Change Law Update]

“The federal district court for the Eastern District of Arkansas declined to enjoin a highway reconstruction and widening project. The court found that the plaintiffs—who asserted, among other things, that the defendants failed to consider the project’s cumulative impacts on greenhouse gas emissions—had not shown a likelihood that they would prevail on the merits. The court also found that the plaintiffs did not demonstrate they would suffer irreparable harm if work on the project commenced and that the balance of equities and public interest favored the defendants.”

[NextEra Energy Resources, LLC v. Department of Public Utilities](#), No. SJC-12886 (Mass. Sept. 3, 2020)) [October 2020 Sabin Center for Climate Change Law Update]

“The Massachusetts Supreme Judicial Court affirmed the Massachusetts Department of Public Utilities’ approval of power purchase agreements allowing electricity distribution companies to purchase clean electricity generated hydroelectrically by Hydro-Québec Energy Services (U.S.), Inc. The court held that the Department applied a reasonable interpretation of the statutory requirement that the PPAs provide for “firm service” hydroelectric generation (i.e., power provided without interruption). The court also found that substantial evidence supported the Department’s conclusions that the PPAs “provide for the procurement of energy from hydroelectric generation alone” and that an industry-standard tracking system was an appropriate mechanism to meet statutory requirements intended to allow the Department of Environmental Protection to monitor progress in reducing greenhouse gas emissions.”

[Greenpeace v. Spain](#) (Supreme Court of Spain) [October 2020 Sabin Center for Climate Change Law Update]

“On September 15, 2020, Greenpeace Spain, Oxfam Intermón, and Ecologistas en Acción filed suit against the Spanish Government, alleging failure to take adequate action on climate change. The plaintiffs assert that Spain is in violation of Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action. According to plaintiffs, by last December Spain should have approved a National Energy and Climate Plan and Long Term Strategy, and the draft plan is not consistent with the Paris Agreement and IPCC recommendations to keep global warming to 1.5 degrees Celsius. According to news reports, the complaint seeks an order compelling greater climate action.

On September 30, 2020, the Supreme Court admitted the statement of claim and required the Ministry of the Presidency to present its administrative file within 20 days.”

ClientEarth v. Polska Grupa Energetyczna (Regional Court in Lodz) [October 2020 Sabin Center for Climate Change Law Update]

“In September 2019, environmental law organization ClientEarth filed a lawsuit in the District Court of Lodz seeking to reduce greenhouse gas emissions from Europe’s largest power plant, Belchatow, owned and operated by Polska Grupa Energetyczna (PGE).

On September 22, 2020, the judge in the case ruled that PGE must negotiate with ClientEarth to attempt to reach a settlement within three months to swiftly reduce Belchatow’s climate impacts. ClientEarth demands that PGE close 11 of 12 coal units at Belchatow by 2030, and the last by 2035, while PGE’s existing schedule would close them by 2040 after existing reserves are depleted. According to ClientEarth, this marks the first time a Polish Court has required a coal plant to engage in such negotiations to reduce climate emissions.”

Sharma and others v. Minister for the Environment (Federal Court of Australia) [October 2020 Sabin Center for Climate Change Law Update]

“On September 8, 2020, eight young people filed a putative class action in Australia’s Federal Court to block a coal project. The lawsuit seeks an injunction to stop the Australian Government from approving an extension of the Whitehaven Vickery coal mine. The plaintiffs claim to represent all people under 18, and argue that Federal Minister Sussan Ley has a common law duty of care for young people. They further assert that digging up and burning coal will exacerbate climate change and harm young people in the future.”

Shrestha v. Office of the Prime Minister (Nepal Supreme Court) [October 2020 Sabin Center for Climate Change Law Update]

“On August 23, 2017, Padam Bahadur Shrestha filed an application to compel the government of Nepal to enact a new climate change law. When the authorities failed to respond, Shrestha petitioned the Supreme Court of Nepal to issue a writ of mandamus or other appropriate order to enact such a law. According to the petition, the Environmental Protection Act of 1997 was inadequate because it did not address climate change, the Climate Change Policy of 2011 had not been implemented, and as a result, the humans and ecosystems of Nepal had experienced grave climate impacts. Shrestha alleged that the government’s failure to adequately address climate had violated the rights to a dignified life and a healthy environment guaranteed in the Constitution of Nepal, and violated Nepal’s commitments under the UNFCCC and the Paris Agreement.

In a decision issued on December 25, 2018, the Supreme Court ordered the government of Nepal to enact a new climate change law to mitigate and adapt to the effects of climate change, to reduce the consumption of fossil fuels and promote low carbon technologies, and to develop scientific and legal instruments to compensate those harmed by pollution and environmental degradation, among other provisions. The Court said that a new law was needed to effectuate Nepal’s commitments under the Paris Agreement and obligations under the Constitution. The Court further reasoned that the Environmental Protection Act of 1997 was inadequate to address needed climate change mitigation and adaptation, and ordered the

government to implement existing national climate policy until the new law would be enacted.

Subsequent to the Supreme Court decision, the government of Nepal passed the Environment Protection Act of 2019 and the Forests Act of 2019.”

PUBLICATIONS

National

Gilder Andrew, Rumble Olivia and Parker Mansoor *Concise Guide to Carbon Tax* ([LexisNexis](#) October 2020)

The carbon tax filing platform will open on 1 October 2020, and close at 15h00 on 29 October 2020 – after which penalties will apply for late submissions.

Kotzé Louis J and du Plessis Anél "Putting Africa on the Stand: A Bird's Eye View of Climate Change Litigation on the Continent" 2020 (3) [Environmental Law](#) 615-663

Patel Z *et al* "Knowledge Co-production in Sub-Saharan African Cities: Building Capacity for the Urban Age" in Gasparato AA (eds) *Sustainability Challenges in Sub-Saharan Africa II Insights from Eastern and Southern Africa* ([Springer](#) 2020) 189-215 (there are also other interesting chapters in the book)

Middleton J *Business Communication* 2nd ed (Oxford University Press 2020) [Email](#) [website](#)

Els G *et al* *Corporate Finance: A South African Perspective* 3rd ed (Oxford University Press 2020) [Email](#) [website](#)

Gerrard MB "An Environmental Lawyer's Fraught Quest For Legal Tools to Hold Back the Seas" 2020 149(4) [Daedalus](#) 79-95

International

2020 11(3) [European Journal of Risk Regulation](#) – Symposium on Glyphosate – Conference articles – open access until 30 October 2020

Sustainable Development Sustainable Network "New SDSN Guide: Accelerating Education for the SDGs in Universities" ([Report](#) 21 September 2020)

ARESS "Photovoltaic solar energy in West Africa: Learning from Benin" ([Policy Brief](#) October 2020)

Dunne KBJ and Jerolmack DJ "What sets river width?" 2020 6(41) [Science Advances](#) DOI: 10.1126/sciadv.abc1505

Orth RJ *et al* "Restoration of seagrass habitat leads to rapid recovery of coastal ecosystem services" 202 6(41) [Science Advances](#) DOI: 10.1126/sciadv.abb6434

Garzón Delvaux PA, Riesgo K and Gomez y Paloma S "Are small farms more performant than larger ones in developing countries?" 2020 6(41) [Science Advances](#) DOI: 10.1126/sciadv.abb8235

BIOSEC “Reducing Demand for Illegal Wildlife Products—Is There Any Way Forward?” (Policy [Brief](#) 2020)

Earth League International “First Wildleaks [Report](#): The World's First Whistleblower Initiative Dedicated to Environmental/Wildlife Crime” (8 September 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Mail & Guardian](#): Bega S “South Africa’s southern right whale population is falling, research finds” 10 October 2020

[Mail & Guardian](#): Bega S “State ‘dragging its feet’ in watershed Mpumalanga pollution case” 7 October 2020

- **Climate change and energy**

The SARCHI Chair Waste and Climate Change is proud to present Waste and COVID – a short [documentary](#) by Matteo Strachan for the Clifton School Film Festival 2020 [provided by Andrew Gilder Climate Legal]

[Bizcommunity](#): Wakelin F “Climate change is in your hands - top 10 things you can do to make a difference” 8 October 2020

[Engineering News](#): Simmons R “Opinion: Black-blade mitigation – a new and exciting mitigation for wind turbines to reduce impacts to birds of prey” 9 October 2020

[Engineering News](#): Creamer M “Energy expert calls for RMIPPPP overhaul to facilitate cheaper, cleaner emergency power” 9 October 2020

- **Environmental enforcement**

[Mail & Guardian](#): Bega S “Environmental destruction is the human rights challenge of our time: Archbishop Tutu” 8 October 2020

[BusinessLive](#): Seccombe A “Lake Charles deal may let Sasol avoid a rights issue” 5 October 2020

- **Local government**

[Daily Maverick](#): De Vos P “Gauteng’s Afrophobic bill would have a ‘catastrophic’ effect on African immigrants” 8 October 2020

[Daily Maverick](#): Griffiths J “The decline and fall: One in five municipalities in a state of collapse” 6 October 2020

[Engineering News](#): “Growing determination for municipalities to build, procure own electricity” 9 October 2020

- **Water, oceans, waste and chemicals**

[Daily Maverick](#): Brits E “Eco-friendly magnetic shark barrier developed in South Africa could be boost for tourism and jobs” 9 October 2020

- **Miscellaneous**

[Mail & Guardian](#): Mathe T “The promised land? Lack of access to finance hinders farmers” 9 October 2020

[BusinessLive](#): Seccombe A “Exclusive: Ferroalloy industry stares into the abyss” 11 October 2020

Africa

- **Biodiversity, protected areas and culture**

[Science](#): Gibbons A “Newly discovered viruses suggest ‘German measles’ jumped from animals to humans” 7 October 2020

[Bizcommunity](#): Hughes K “Key insights into land degradation from seven African countries” 5 October 2020

[AllAfrica](#): Sayagi G :” Kenya: Maasai Mara Wildlife Targeted By Bush Meat Traps” 8 October 2020

[The Conversation](#): Delaney A “Plant diversity makes West Africa’s shea trees bear more fruit” 11 October 2020

[The Conversation](#): Duncan F “Explainer: what’s behind the locust swarms damaging crops in southern Africa” 7 October 2020

- **Climate change and energy**

[AllAfrica](#): “Nigerian Farmers Take Their Shell Oil Pollution Case to Dutch Court” 8 October 2020

- **Environmental enforcement**

[AllAfrica](#): Shigwedha A “Namibia: Environmental Law Not Enforced Properly” 8 October 2020

- **Local government**

[The Conversation](#): Garland R and Plantinga “African countries need more air quality data - and sharing it unlocks its benefits” 11 October 2020

- **Mining**

[Extractives Baraza](#): “Construction of New Kipevu Oil Terminal in Kenya at 63.2% Complete” 6 October 2020

[Extractives Baraza](#): “Zambia’s Mining Sector Need Not Be Overshadowed by Economic Diversity Agenda” 6 October 2020

[TimesLive](#): Mazingaizo S “Zimbabwe's Zimbaqua mine, where all the workers are women” 7 October 2020

[BusinessLive](#): Clowes W and Biesheuvel T “Nigeria absolved of having to pay \$1.5bn oil field claim” 8 October 2020

[BusinessLive](#): Osae-Brown A and Burkhardt P “Nigeria may sell shares in state oil giant” 1 October 2020

[Centre for Investigative Journalism](#): Lescij L “Mining Officials Grilled Over Reskol’s Broken Promises” 5 October 2020

- **Water, Oceans, waste and chemicals**

[AllAfrica](#): Shigwedha A “Africa Urged to Protect Sea Life” 8 October 2020

International

- **Biodiversity, animal rights, national parks and culture**

[IUFRO-GFEP launches](#) the Global Assessment Report on Forests, Trees, and the Eradication of Poverty: Potential and Limitations. The report explores the links between forests and poverty, which stand at the center of the sustainable development agenda.

Global Law [Alliance](#) for Animals and the Environment – more information [here](#)

California Government: Executive [Order](#) N-82-20 – Biodiversity and Indigenous Communities

[Science](#): Hicks L “Endangered baby sea turtles may have a new savior: GPS eggs” 5 October 2020

Thomas Reuters [Foundation](#): Biron CL “‘Dramatic’ global rise in laws defending rights of nature” 1 October 2020

Thomas Reuters [Foundation](#): Chandran R “Best kept secret? Google move shows mapping risks” 5 October 2020

- **Climate change and energy**

[Greenpeace](#) [trade-leaks.org](#): EU-Mercosur Association Agreement leaks (8 October 2020)

[Science](#): Clery D “‘We’re part of the problem.’ Astronomers confront their role in—and vulnerability to—climate change” 7 October 2020

[Columbia University](#) Sabin Center for Climate Change Law: World’s First ‘Carbon Dioxide Removal Law’ Database

[Climate Law Blog](#): Rancis A “Democratic Climate Plan Centers Equity but Misses the Mark on Climate-Induced Migration” 7 October 2020

[Lexology](#): NYDFS Superintendent Highlights Efforts on Climate Change” [USA] 6 October 2020

[IISD](#) SDG Knowledge Hub: “How to Make Climate Risk Insurance Better Meet the Needs of the Vulnerable?” 8 October 2020

[IISD](#) SDG Knowledge Hub: “Doha Amendment to Enter into Force” 5 October 2020

[Lexology](#): “The New Equator Principles - Climate Change, US Application and What EP4 Means for You” 29 September 2020

[CleanEnergyWire](#): Amelang S, Appunn K and Wettengel J “EU climate target of -55% would mean near-exit from coal in 2030 – experts” 5 October 2020

- **Environmental enforcement**

[Lexology](#): “Bill 66: Restarting of the Quebec Economy 2.0” [Canada] 6 October 2020

[Lexology](#): “Federal Budget boost to streamline Environment Protection and Biodiversity Conservation Act approval timeframes and reforms” 8 October 2020

[Lexology](#): “The Aftermath of Dieselgate: The U.S. EPA is Enforcing Prohibitions on Defeat Devices More Aggressively Than Ever Before” 1 October 2020

[Lexology](#): “Companies in hot water: environmental performance deteriorates further” 6 October 2020

[Lexology](#): “Exploring the Criminalization of Environmental Law - Executing Search Warrants” 5 October 2020

[The Independent](#): Stone J “Britain set to be left without environment watchdog when Brexit transition period ends” 10 October 2020

- **Local government**

IISD ENB: UN Economic Commission for Europe (UNECE) brought together local and global leaders for the first-ever [Forum of Mayors](#)

UN Cities and Local Governments will convene local leaders to [reflect on the findings](#) of the [Visioning Report UN 75: the Role of Local and Regional Governments in the Future Global Governance of the International System](#) (8 October 2020)

[IISD](#) ENB: Reactions of Local and Regional Governments to UN75 Report - 8 October 2020 | Online

[IISD](#) ENB: Forum of Mayors 2020 - City Action for a Resilient Future: Strengthening Local Government Preparedness and Response to Emergencies and the Impact of Disasters and Climate Change 6 October 2020 | Palais des Nations, Geneva, Switzerland

[Science](#): Cantwell M “How systemic racism shaped the ecosystems of U.S. cities” 9 October 2020

[IISD](#) SDG Knowledge Hub: “UNECE Cities Promote Cooperation on COVID-19, Climate, SDGs” 8 October 2020

Thomas Reuters [Foundation](#): “As cities bake on a warming planet, insurers cook up heatwave cover” 5 October 2020

[IISD](#) ENB: Reactions of Local and Regional Governments to the UN75 Report - 8 October 2020 | Online

- **Mining**

The [Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development](#) will meet at the end of the month

[Lexology](#): “Argentina, Mining and Glacier Protection” 8 July 2020

Thomas Reuters [Foundation](#): Taylor L “Families left in limbo as Uganda oil project earmarks land” 1 October 2020

[Extractives Baraza](#): “The Oil and Gas Industry Has Lost More Than 100,000 Jobs This Year” 6 October 2020

[Extractives Baraza](#): “UK Gov’t Temporarily Halts Coal Mine Approval” 6 October 2020

- **Water, oceans, waste and chemicals**

[Science](#): Sobczyk N “Nobel laureate who helped save the ozone layer dies” 8 October 2020

[Lexology](#): “Boston Conservation Commission Implements New Wetlands Ordinance” 5 October 2020

[Lexology](#): “Beware of the Plastics” [EU] 8 October 2020

[Lexology](#): “No Time to Waste - Ireland’s Action Plan for a Circular Economy” 8 October 2020

[IISD](#) SDG Knowledge Hub: “UNGA’s Second Committee Sets Out Priority Issues for 75th Session” 8 October 2020

[IISD](#) SDG Knowledge Hub: “WEF Paper Guides Trade Facilitation of More Circular Electronics Industry” 8 October 2020

[IISD](#) SDG Knowledge Hub: “SAICM Explores Costing Tools for Sound Chemicals Management” 8 October 2020

[IISD](#) SDG Knowledge Hub: “Project Promotes Blue BioTrade in East Caribbean, Contributes to SDGs 14 and 12” 8 October 2020

[Lexology](#): “New California Law Regulates Chemicals in Cosmetics” 6 October 2020

[IISD](#) SDG Knowledge Hub: “Report Reveals Positive Outcomes of Tonga’s Special Management Areas on Marine Environment” 6 October 2020

- **Miscellaneous**

[Nature](#): Tollefson J “How Trump damaged science — and why it could take decades to recover” 5 October 2020

[IISD](#) SDG Knowledge Hub: “Leaving No One Behind after COVID-19: Findings from the Front Lines” 5 October 2020

[IISD](#) SDG Knowledge Hub: “Preparing for the Next Chapter in Trade and Sustainable Development Governance: Reflections from Geneva Trade Week” 6 October 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Virtual KZN Ezemvelo Conservation Symposium

Date: 2-6 November 2020

More information on [Facebook](#) and [Website Programme](#)

IAIAsa and WWF: Virtual IEM Symposium: Opportunities for Progress

Dates: 21-23 October 2020

Time: 09:00-12:00

Please register at the Registration [link](#)

CLES Critical Conversation: Resilience of environmental systems in SA cities

Date: 15 October 2020 (Microsoft Teams)

Time: 14:00-15:15

The guest speaker is Dr Maike Hamann from Stellenbosch University. For more details, contact [Maricéle](#) or [Bernalee](#)

You can register for this virtual event [here](#)

National Wetland Indaba: NWI 2020: A Virtual Celebration of Wetland Biodiversity

Date: 28 October 2020

More [information](#)

ELA Streaming Club – Save the date

Last and final event for 2020: 28 October 2020

More information will follow later

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenview Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

UP Enterprises: Online Environmental Law Course

Date: 16 November 2020

More [information](#)

International

George Washington University Law School Webinar: Environmental Justice and Health Care Equity: A Conversation about Racial Justice

Date: Wednesday, October 14

Time: 1:00-2:00 pm EDT (12 CDT, 11 MDT, 10 PDT)

More [information](#)

Registration and Zoom details are available [here](#).

Call for Entries: Youth Climate Report 2020

The Youth Climate Report, a project that showcases climate-related films made by youth around the world, is announcing its 2020 call for new films. [Share your story.](#)

Natural Justice Seminars: Involvement of Indigenous peoples and local communities in Access and Benefit Sharing

- **Using community protocols for ABS implementation**

Date: 12 October 2020

Time: 9:00 am GMT (= 11:00 am CEST, 12am EAT)

[Link](#)

- **Policy guidance for the recognition of community protocols in national policy and legal frameworks**

Date: 19 October 2020

Time: 9:00 am GMT (= 11:00 am CEST, 12am EAT)

[Link](#)

The webinars will be held via Zoom, with simultaneous translation between English and French. You will find further information in the programme [here](#).

Vermont Law School's student-run *Vermont Journal of Environmental Law*: Transitioning to, living in, and protecting a decarbonized world

Date: Friday, October 16, via this [link](#)

Time: 9am-5pm (Vermont time)

Panel topics include clean energy justice, climate goals, protecting the grid, and more. See below or [view the program](#) for details.

Questions: [Antonia Douglas](#) or [Austin Scarborough](#)

FSR Global Energy Innovation Week: Free online conference on Financing for Energy Transitions

Explore the intersection between regulatory practice and policies to facilitate technological development in energy industries. Learn [more](#) and secure your free spot:

- **Session 1:** *Digitalization and long-term investment in energy assets*
Date: 26 October 2020
Time: @ 2:00 pm – 3:00 pm CEST
- **Session 2:** *Public financing of green innovation: Matching offers and demand for financing*
Date: 27 October 2020
Time: @ 2:00 pm – 3:00 pm CEST
- **Session 3:** *Mobilising private investment for green, climate-resilient energy assets: The role of innovation in finance*
Date: October 29, 2020
Time: @ 2:00 pm – 3:00 pm CEST

Learn more and secure your free spot [here](#) – 100 registrants per event

European Centre for Development Policy Management (ECDPM) and Hivos online conference: A green and gender-driven COVID-19 recovery in Africa: How development finance can boost energy access for all

Date: Tuesday 27 October 2020

Time: 15:00-17:00 CEST

Registration and more [information](#)

For enquiries about this event, please visit the event page and/or contact [Inna Perova](#).

Sabin Center for Climate Change law: Reducing Emissions from the Buildings Sector

Thursday, 25 October 2020

Time: 10 AM-12 PM, Zoom (New York time)

To register, click [here](#).

Webinar: Using Citizen Science to Address Air Pollution (INECE Citizen Science Webinar Series, Session 3)

Date: 23 October 2020

Poor air quality is one of the most pressing environmental challenges of our day. It is particularly difficult to address because of the localized nature of impacts. Various groups have successfully used community science to address other environmental threats such as water pollution. [Read More](#)

University of Essex: Early Career Workshop: Critical Perspectives on Global Law and the Environment – Call for papers

Date: 22 and 23 April 2021

Submission of Abstracts

Abstracts of no longer than 500 words must be sent for consideration by 1 December 2020.

To submit an abstract, please [email](#) with the subject heading 'Early Careers Workshop 2021'. Along with your abstract, please include name, affiliation/institution, stage of career (number of years post-PhD, or PhD stage). Any questions can be directed to Dr [Eliana Cusato](#), Dr [Emily Jones](#), Judith Bueno [De Mesquita](#) or Dr Birsha [Ohdedar](#).

Successful applicants will be notified in early January 2021.

The [Urban-LEDS](#) and [Urban Pathways projects](#) led by ICLEI - Local Governments for Sustainability and UN-HABITAT session focusing on integrated low-emission development planning to support fair and sustainable energy for all at the [Daring Cities Conference](#)

Date: 19 Oct 2020

Time: 16-18:00 UTC+2.

The [online session](#) will focus on defining pathways for establishing more strategic cross-sectoral integration and multi-actor cooperation towards effective and economic emission and pollution reductions in urban areas and a fair and sustainable energy supply for all.

Registration to the [Daring Cities Conference](#) and the [Session](#) is free of charge. Interested participants can register [here](#).

NEWS

National

- **Biodiversity**

Human L "There are no jobs - this is how we support our families" says Kleinmond poacher" [GroundUp](#) 8 October 2020

Wild S "Top SA environmental research centre faces funding crisis" [GroundUp](#) 7 October 2020

Bega S "Biodiversity loss threatens us all" [Mail & Guardian](#) 10 October 2020

- **Climate change and energy**

Postman Z "Extinction Rebellion picket Standard Bank over oil pipeline finance" [GroundUp](#) 9 October 2020

"Cape Town earthquake raises alarm bells about safety at Koeberg nuclear plant" [IOL](#) 8 October 2020

"Government pledges support for Mozambique gas projects" [Bizcommunity](#) 30 September 2020

- **Environmental enforcement**

Yeld J “Noordhoek wetland road gets green light” [GroundUp](#) 6 October 2020

- **Local government**

Sizani M “Neighbouring communities fight for jobs at construction project” [GroundUp](#) 9 October 2020

Mutandiro K “City technicians accused of demanding R1,000 bribe to reconnect electricity” [GroundUp](#) 7 October 2020

Kumar A “Our obsession with mega projects is not good for South Africa” [GroundUp](#) 7 October 2020

Nowicki L “Rain brings no end to Makhanda water crisis” [GroundUp](#) 6 October 2020

Faku D “Eskom has no choice but to recoup spiralling municipal debt” [IOL](#) 9 October 2020

- **Mining**

Yeld J “SA-linked Aussie mining boss in trouble with the law back home” [TimesLive](#) 8 October 2020

Neves J “Joburg Mining Indaba chairman Bernard Swanepoel: Investors eye iron ore, manganese” [IOL](#) 10 October 2020

Bulbulia T “Mining-affected communities to hand memorandum to Ramaphosa, Mantashe” [Mining Weekly](#) 9 October 2020

Bulbulia T “Joburg Indaba speakers advocate for cleaner coal” [Mining Weekly](#) 9 October 2020

Creamer M “Exploration strategy in three months, hydrogen under scrutiny – DMRE” [Mining Weekly](#) 9 October 2020

- **Water, oceans, waste and chemicals**

Mason J “Water, water everywhere, not any coastguard in sight” [Daily Maverick](#) 6 October 2020

“Environment dept officials suspended following forensic investigation” [Bizcommunity](#) 9 October 2020

- **Miscellaneous**

Pheto B “Environment, forestry and fisheries officials suspended over dodgy tenders” [TimesLive](#) 8 October 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Smith H and Rong-Gong Lin II “The frightening implications of California’s first million-acre fire” [Los Angeles Times](#) 6 October 2020

“Global forest sector: Providing solutions for pandemic recovery” [Bizcommunity](#) 9 October 2020

“How the old West-East German border will be transformed into a green oasis” [The Independent](#) 9 October 2020

Weston P and Greenfield P “Are the world's national parks failing nature? (part two) – podcast” [The Guardian](#) 8 October 2020 – [Part 1](#) – 6 October 2020

Randall S “Trump's public lands chief refuses to leave his post despite judge's order” [The Guardian](#) 10 October 2020

Briggs H “‘Real and imminent’ extinction risk to whales” [BBC](#) 10 October 2020

“Deforestation in Brazil's Amazon falls for third month, still high” [Reuters](#) 9 October 2020

- **Climate change and energy**

“European Parliament votes to raise EU 2030 target to stronger-than-expected 60%” [Carbon Pulse](#) 7 October 2020

“Chile targets 2023 for CO2 levy threshold changes and offset provision” [Carbon Pulse](#) 7 October 2020

“Norway ups climate spend to compensate industry ETS costs” [Carbon Pulse](#) 7 October 2020

Keeting C “Study: Fertiliser use threatens global climate goals as nitrous oxide emissions soar” [Business Green](#) 7 October 2020

Moscovenko LR “France’s ‘imported emissions’ are 70% higher than domestic CO₂ output, report finds” [EurActiv](#) 7 October 2020

“UK finance minister favours domestic carbon tax over trading –media” [Carbon Pulse](#) 9 October 2020

Crisp J “Paris Agreement on climate change to be hardwired into Brexit trade deal” [The Telegraph](#) 8 October 2020

White L, Cruise S and Jessop S “Exclusive: HSBC targets net zero emissions by 2050, earmarks £772 billion green financing” [Reuters](#) 9 October 2020

“Polish utilities set to begin separating coal from other assets in 2021” [Reuters](#) 8 October 2020

Wagner G “The Numbers Behind Exxon’s Support for a Carbon Tax” [Bloomberg](#) 9 October 2020

“EU lawmakers adopt position on European Climate Law” [Carbon Pulse](#) 8 October 2020

“IMF backs global green spending spree, rising carbon prices to curb climate change” [Carbon Pulse](#) 8 October 2020

“German Lower House approves tax on greenhouse emissions for fuels, heating, gas” [Reuters](#) 8 October 2020

“China Solar Stocks Are Surging After Xi’s 2060 Carbon Pledge” [Daily Maverick](#) 9 October 2020

Rey H “Climate change should be at the core of the European Central Bank’s new strategy” [Daily Maverick](#) 8 October 2020

Stoddard E “Gold Fields is a ray of sunshine in Australia after launching one of the world’s biggest renewable microgrids” [Daily Maverick](#) 7 October 2020

“Scientists say 2020 may smash heat record” [IOL](#) 10 October 2020

“India may close its dirtiest coal plants as green focus grows” [IOL](#) 10 October 2020

Boyle L “Record 16 climate disasters have hit US in 2020 costing more than \$1billion each” [The Independent](#) 8 October 2020

Boyle L “Climate denial ads get 8 million views on Facebook despite firm’s ‘commitment to tackle misinformation’: study” [The Independent](#) 8 October 2020

Cox L “Net zero emissions target for Australia could launch \$63bn investment boom” [The Guardian](#) 11 October 2020

- **Local government**

Shankleman T “London’s Square Mile Vows to Eliminate Carbon Pollution by 2040” [Bloomberg](#) 9 October 2020

- **Mining**

Smee B “BHP and Origin suspend membership of Queensland Resources Council over ‘vote Greens last’ campaign” [The Guardian](#) 7 October 2020

Temple J “Asbestos could be a powerful weapon against climate change (you read that right)” [MIT Technology](#) 6 October 2020

“Chile lithium miner SQM says to slash water, brine use at Atacama” [Mining Weekly](#) 9 October 2020

- **Water, waste, oceans and chemicals**

Bayness C “Mystery toxic pollution on Russian east coast has killed 95% of seabed life, scientists say” [The Independent](#) 8 October 2020

McVeigh K “Revealed: 97% of UK marine protected areas subject to bottom-trawling” [The Guardian](#) 9 October 2020

Colley C “River pollution leads to Welsh demand for halt to intensive chicken farms” [The Guardian](#) 5 October 2020

“BASF shuts German plant that emitted imidazole in Rhine” [Reuters](#) 10 October 2020

- **Miscellaneous**

“Greens call for advertising ban on polluting cars and flights” [The Independent](#) 11 October 2020

Boyle L “Trump falsely said the Green New Deal requires ‘tiny little windows’. What does it actually say?” [The Independent](#) 10 October 2020

Rowlatt J “Prince William and Sir David Attenborough join forces on 'Earthshot' prize” [BBC](#) 8 October 2020

Pullella P “Pull investments from companies not committed to environment, pope says” [Reuters](#) 11 October 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

Skills Mine - Head of Legal

More [information](#)

University of Cape Town: Associate-Professor/ Professor in Private law

Closing date: 30 October 2020

More [information](#)

North-West University: School Director: Undergraduate Studies

Closing date: 22 October 2020

More [information](#)

North-West University: Candidate Attorney

Closing date: 20 October 2020

More [information](#)

North-West University: Director: UCE

Closing date: 16 October 2020

More [information](#)

Recruitment: Head of Faculty - Law

More [information](#)

University of the Free State: Faculty of Law Department Public Law: Lecturer / Senior Lecturer / Associate Professor / Professor

Closing date: 23 October 2020

More [information](#)

Sowpoint Global: Public Programmes Coordinator, Johannesburg, Gauteng

More [information](#)

DTI Consultant: Gauteng

More [information](#)

[Vacancy: Environmental Consultant Internship: Cape Town](#)

Closing Date 15 October 2020 (IAIAsa Newsletter 9 October 2020)

[Vacancy: Environmental Assessment Practitioner: Cape Town \(Tokai\)](#)

Closing Date 13 November 2020 (IAIAsa Newsletter 9 October 2020)

Call for expression of interest to develop a climate change communication strategy for the tourism sector

Closing date: 23 October 2020

GIZ invites eligible and professional companies with local presence in South Africa to participate in this tender. Expression of Interest forms are available for downloading until 23.10.2020 at the following [link](#).

Completed forms must be [submitted](#) by 30 October 2020. Please quote reference 83365380 when submitting the documentation. Late submissions will not be accepted.

More [information](#)

Call for expression of interest – fuel wood consumption survey

GIZ invites eligible and professional companies with local presence in South Africa to participate in this tender. Expression of Interest forms are available for downloading until 16.10.2020 at the following [link](#).

Completed forms must be [submitted](#) by 23 October 2020. Please quote reference 83365027 when submitting the documentation. Late submissions will not be accepted.

More [information](#)

International

Nottingham Trent University | United Kingdom: Executive Dean, School of Animal, Rural and Environmental Sciences

More [information](#)

Utrecht University, Netherlands: Assistant Professor of Environmental and Sustainability Governance

Closing date: 23 October 2020

More [information](#)

National University of Taiwan: Faculty Position in Climate Change and Sustainable Development

Closing date: 31 December 2020

More [information](#)

University of Chicago Social Sciences Collegiate Division: Instructor in Human Rights

Closing date: 1 December 2020

More [information](#)

University of Colorado Boulder: Senior Instructor of Environment and Natural Resources Policy

Closing date: End October 2020

More [information](#)

Singapore Management University: Adjunct Faculty in Law and Psychology

Closing date:

More [information](#)

Global Centre on Adaptation: Regional Director Africa
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.



A Public Benefit Organisation



ELA NEWSLETTER 42

16 October 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere!

Keep safe and keep contact via Facebook, the website, upcoming workshops and our ELA Streaming Club.

We shall launch a new website early November

BILL

Expropriation Bill, 2020 [B23-2020] - GN 1082 in GG 43798 of 9 October 2020 – for comment

Draft Fund-raising Amendment Bill, 2020 - GN 1085 in GG 43801 of 13 October 2020 - for comment

NOTICES

Disaster Management Act 57 of 2002 - GN 1090 in GG 43808 of 14 October 2020
- Declaration of a national state of disaster published in GN 313 in GG 43096 of 15 March 2020 extended to 15 November 2020

Department of Environment, Forestry and Fisheries - GN 1101 in GG 43819 of 16 October 2020 - United Nations Framework Convention on Climate Change (UNFCCC): Draft Biennial Update Report-4 for the Republic of South Africa – for comment

Statistics South Africa – Gen Notice 570 in GG 43810 of 16 October 2020 - Consumer Price Index, Rate (Base Dec 2017 = 100): August 2020: 3.1

National Environmental Management Act 107 of 1998 - GN 1088 in GG 43802 of 13 October 2020 - Draft Regulations to domesticate the requirements of the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade - for comment

National Environmental Management: Biodiversity Act 10 of 2004 - GN 1100 in GG 43818 of 16 October 2020 - Extension of commencement dates of:

- Alien and Invasive Species Lists, 2020 published in GN 1003 in GG 43726 of 18 September 2020 from 19 October 2020 to 1 March 2021
- Alien and Invasive Species Regulations, 2020 published in GN R1020 in GG 43735 of 25 September 2020 from 26 October 2020 to 1 March 2021

Electricity Regulation Act 4 of 2006 - GN 1093 in GG 43810 of 16 October 2020 - Electricity regulations on new generation capacity published in GN R399 in GG 34262 of 4 May 2011 amended

Special Economic Zones Act 16 of 2014 – Gen Notice 574 in GG 43817 of 16 October 2020 - Notice of the proposed expansion of the Tshwane Automotive Special Economic Zone - for comment

Legal Aid South Africa Act 39 of 2014 – Gen Notice 572 in GG 43814 of 16 October 2020 - Notice of tabling in Parliament of amendments to the Legal Aid Manual published with effect from 60 days after publication

Financial Sector Regulation Act 9 of 2017 - GN 1094 in GG 43810 of 16 October 2020 - Determinations published in terms of ss. 291 and 292 of the Act

PROVINCES

KwaZulu Natal

National Environmental Management: Protected Areas Act 57 of 2003 - PN 111 in PG 2220 of 14 October 2020 - Intention to declare a nature reserve - Greater Ukuwela Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 112 in PG 2221 of 14 October 2020 - Intention to declare a nature reserve - Umevane Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 119 in PG 2222 of 14 October 2020 - Intention to declare a protected environment - Central Umngeni Conservancy Protected Environment - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 114 in PG 2223 of 14 October 2020 - Intention to declare a nature reserve: Rood Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 115 in PG 2224 of 14 October 2020 - Declaration of a nature reserve - Roelton Nature Reserve

National Environmental Management: Protected Areas Act 57 of 2003 - PN 116 in PG 2225 of 14 October 2020 - Intention to declare a nature reserve - Cumberland Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 117 in *PG 2226* of 14 October 2020 - Intention to declare a nature reserve - Thule Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 118 in *PG 2227* of 14 October 2020 - Intention to declare a nature reserve: Solomon Gijima Dindikazi Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 120 in *PG 2228* of 14 October 2020 - Intention to declare an area as part of an existing nature reserve - Ncandu Private Forest and Grassland Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 121 in *PG 2229* of 14 October 2020 - Intention to declare an area as part of an existing nature reserve: Karkloof Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 122 in *PG 2230* of 14 October 2020 - Intention to declare an area as part of an existing nature reserve: Karkloof Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 123 in *PG 2231* of 14 October 2020 - Intention to declare a nature reserve - Strathkop Nature Reserve - for comment

Criminal Procedure Act 51 of 1977, National Road Traffic Act 93 of 1996, Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 124 in *PG 2232* of 15 October 2020 - Okhahlamba Local Municipality - Nuisance By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 124 in *PG 2232* of 15 October 2020 - Okhahlamba Local Municipality: Public Amenities By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 124 in *PG 2232* of 15 October 2020 - Okhahlamba Local Municipality: Outdoor Advertising By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 124 in *PG 2232* of 15 October 2020 - Okhahlamba Local Municipality - Fire Service By-laws

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 79 in *PG 2232* of 15 October 2020 - Mandeni Local Municipality: Beaches By-law, 2020, Gatherings By-law and Waste Management By-laws

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 79 in *PG 2232* of 15 October 2020 - Mandeni Local Municipality - Fire Fighting By-laws, 2020

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 and Cemetery and Crematoria Act of 2006 - MN 79 in *PG 2232* of 15 October 2020 - Cemetery and Crematoria By-laws, 2020

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 79 in *PG* 2232 of 15 October 2020 - Mandeni Local Municipality - Keeping of Animals By-laws

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Structures Act 117 of 1998 and Local Government: Municipal Systems Act 32 of 2000 - MN 79 in *PG* 2232 of 15 October 2020 - Mandeni Local Municipality: By-laws Relating to Parks, Open Spaces, and Management of Trees

Limpopo

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 62 in *PG* 3109 of 16 October 2020 - Lephalale Local Municipality - Approval and designation of members for the Municipal Planning Tribunal

North West

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 114 in *PG* 8152 of 9 October 2020- Kgetlengrivier Local Municipality - Establishment of the Municipal Planning Tribunal

Northern Cape

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 103 in *PG* 2373 of 12 October 2020 - Frances Baard District Municipality – Review of the 2014 Spatial Development Framework (SDF)

PUBLICATIONS

National

De Villiers NF, Van As H and Botha JC “The Enforceability of the By-Laws of District Municipalities on Local Municipalities: The Case of Solid Waste Disposal” 2020 31 [Stellenbosch Law Review](#) 315ff

Mavedzenge JA “The right to life as an alternative avenue for the enforcement of the right of access to adequate housing in Zimbabwe” 2020 31 [Stellenbosch Law Review](#) 344 ff

International

2020 11(2) *Journal of Human Rights and the Environment* on Animal rights now available [here](#)

Murcott Melanie “Book review: Louis J Kotzé (ed), *Environmental Law and Governance for the Anthropocene* (Hart Publishing, Oxford 2017) 379 pp.” 2020 11(2) *Journal of Human Rights and the Environment* 324–329 DOI: <https://doi.org/10.4337/jhre.2020.02.09>

Commission for Environmental Cooperation “Compilation of Engagement with Indigenous Communities & Experts Associated with TEK in the United States” ([Report](#) April 2019)

The *Columbia Journal of Environmental Law* Call for papers

The journal is seeking submissions for its Climate Change Symposium Issue to be published in Spring 2021. Authors whose articles are selected for publication will have the opportunity to present them at CJEL's annual Climate Change Symposium in early March (date not yet selected), which will almost certainly be held virtually. Articles on any legal topic related to climate change will be considered, though the editors have particular interest in potential impacts of climate change on existing legal regimes.

Please send any submissions to Editor-in-chief [Gregory Smith](#), the Senior Submissions Editor [Deandra Fike](#), and the CJEL Google [Account](#). Submissions will be accepted on a rolling basis.

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Daily Maverick](#): Carnie T “KZN Wildlife’s future hangs in limbo despite ‘action’ promises from government” 15 October 2020

[Daily Maverick](#): Spear D “The fuss over Karoo lions and Cape baboons – conservation versus emotion” 14 October 2020

- **Climate change and energy**

[Daily Maverick](#): “The plot to blow up Koeberg, Part 1: The man with the blueprint”

[Daily Maverick](#): Walters T “From ‘unbearable to unliveable’: The case for ‘radical decarbonisation’” 16 October 2020

[Daily Maverick](#): Semelane S “Crunching the job numbers in a just transition from coal to renewables” 15 October 2020

[Webber Wentzel](#): Felekis A, Van der Poel J and Kota M “Amendments to Electricity Regulations on New Generation Capacity gazetted” 16 October 2020

[Engineering News](#): Liedtke S “Report discusses challenges, options as world continues to drive decarbonisation agenda” 16 October 2020

[Engineering News](#): “Ramaphosa announces a renewables-led recovery plan” 16 October 2020

- **Mining**

[Daily Maverick](#): Mabula ka Ndongeni T “The promised land where dreams are ground down into coal dust” 15 October 2020

[The Conversation](#): Field Tracy-Lynn “South African community wins right to access mining application. But who will win the war?” 13 October 2020

[Mining Weekly](#): Creamer M “Hydrogen fast-tracking will be much quicker than imagined – Sibanye-Stillwater” 19 October 2020

[Mining Weekly](#): Creamer M “Coal mine disposal exacerbating carbon emissions problem – Glencore” 16 October 2020

- **Water, oceans, waste and chemicals**

[Webber Wentzel](#): “The Proposed Domestication of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade” 19 October 2020

[The Conversation](#): Roffe S and Fitchett J “Changes in South Africa’s rainfall seasons could affect farming and water resources” 13 October 2020

Africa

- **Biodiversity, protected areas and culture**

[Nature](#): Hanan NP and Anchang JY “Satellites could soon map every tree on Earth” 14 October 2020

[IISD](#) SDG Knowledge Hub: “Amid Threat of Zoonoses, World Weighs How to Address Illegal Wildlife Trade”

[IISD](#): Rosen T “The Evolving War on Illegal Wildlife Trade Still Only One Earth: Lessons from 50 years of UN sustainable development policy” 9 October 2020

[Daily Maverick](#): Begg A “Gorongosa National Park: from civil war to paradise” 15 October 2020

[allAfrica](#): Harris T “West Africa: Multinational Fishing Industries Plunder Region's Ocean as Artisanal Sector is Locked Out By Covid-19” 15 October 2020

[allAfrica](#): Kentish A “Africa: Why We Need Trees to End to Poverty - Landmark Report” 15 October 2020

[allAfrica](#): Appeltant R and Williams S “Africa: Only Two Northern White Rhinos Remain, and They're Both Female - Here's How We Could Make More” 15 October 2020

[The Independent](#): Ledger E “Stop The Illegal Wildlife Trade: The detection dogs sniffing out wildlife crime” 17 October 2020

[Engineering News](#): Campbell R “There’s a lot of trees in what people thought was North African desert” 16 October 2020

[Engineering News](#): Campbell R “Habitat destruction has decimated Côte d’Ivoire’s forest elephant population” 16 October 2020

- **Climate change and energy**

[Africa Portal](#): “Briefing series: Partnership for a Green Transition and Energy Access - Strategic priorities for Africa and Europe” 30 September 2020 [provided by Andrew Gilder Climate Legal]

[Bizcommunity](#): “Germany looks to Mozambique for gas needs” 16 October 2020

[allAfrica](#): “Sierra Leone: CEO for MCC Visits Sierra Leone, Discusses Support to Threshold Programmes On Water and Energy” 16 October 2020

[The Conversation](#): Fitchett J “Climate research is critical in Africa: how to make it more visible” 14 October 2020

- **Mining**

Thomas Reuters [Foundation](#): Matiashe FS “Pandemic spurs illegal gold rush in Zimbabwe mountains” 12 October 2020

[Extractives Baraza](#): Ambani B “Illegal Cooking Gas Dealers Cost Oil Marketers Billions” 13 October 2020

[Daily Maverick](#): Ghosh J “How the Green Revolution is in fact giving Africa the blues” 14 October 2020

[allAfrica](#): Esterhuysen S “Southern Africa: How Fracking Plans Could Affect Shared Water Resources in Southern Africa” 18 October 2020

- **Water, Oceans, waste and chemicals**

[allAfrica](#): Van Zyl I and Lycan T “East African Terror Groups Are Exploiting the Seas” 15 October 2020

[allAfrica](#): Kirui D “Kenya: Crippled By Lake's Fluoride Waters, Kenyan Women Struggle to Survive” 16 October 2020

[The Conversation](#): Akindele EO “Why microplastics found in Nigeria’s freshwaters raise a red flag” 13 October 2020

[Nature](#): Funk C “Ethiopia, Somalia and Kenya face devastating drought” 15 October 2020

- **Miscellaneous**

[Lexology](#): ENS “Unlocking Africa’s ESG potential” 13 October 2020

[IISD](#) SDG Knowledge Hub: Thiaw I “Grow, Nourish and Sustain – Together with Nature” 13 October 2020

[Daily Maverick](#): Du Plessis C “Mauritian activists and South African developers at loggerheads over development on island” 15 October 2020

International

- **Biodiversity, animal rights, national parks and culture**

[IISD](#) ENB: IUFRO-GFEP Bulletin: Launch of the Global Assessment Report on “Forests, Trees and the Eradication of Poverty: Potential and Limitations” 17 October 2020

[Nature](#): Ferrier S “Prioritizing where to restore Earth’s ecosystems” 14 October 2020

- **Climate change and energy**

[Lexology](#): “Federal Government Releases Revisions to Strategic Assessment of Climate Change” [Canada] 13 October 2020

[Lexology](#): “Federal Government Releases Revisions to Strategic Assessment of Climate Change” [Canada] 13 October 2020

[IISD](#) SDG Knowledge Hub: “Finland Aims to Reach Carbon Neutrality in 2035, Go Carbon Negative Soon After” 15 October 2020

[Clean Energy Wire](#): Wettengel J “Most EU states on track for 2030 climate goals, but higher targets on horizon” 15 October 2020

FSR Net Zero [Podcast](#): “Energy utilities in the middle of a revolution - are they up for the challenge?”

[Lexology](#): “The Aftermath of Dieselgate: The U.S. EPA is Enforcing Prohibitions on Defeat Devices More Aggressively Than Ever Before” 9 October 2020

[Mail & Guardian](#): Bega S “September’s hot world record reignites climate alarm” 11 October 2020

[Nature](#): Malatay S “How China could be carbon neutral by mid-century” 19 October 2020

[Nature](#): Hogg CJ *et al* “Protect the Antarctic Peninsula — before it’s too late” 19 October 2020

- **Environmental enforcement**

[Lexology](#): “Northamptonshire Woman Fined After Link to Waste Crime” 12 October 2020

- **Local government**

[Lexology](#): “Essential Guide to Local Government Law | Weed Control under the Biosecurity Act Post Bushfires” 13 October 2020

[BBC](#): Stephenson W “Gardens help towns and cities beat countryside for tree cover” 18 October 2020

- **Mining**

[Daily Maverick](#): “Rio’s CEO Says Miner Made Key Changes Since Heritage Blasts” 16 October 2020

[Mining Weekly](#): “Biden won’t ban fracking, but his clean grid would choke gas” 19 October 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “Chemicals Strategy for Sustainability: Towards a Toxic-Free Environment” 14 October 2020

[Lexology](#): “EU launches Chemicals Strategy for Sustainability” 14 October 2020

[IISD](#) SDG Knowledge Hub: “Five Ocean-based Solutions Can Support SDGs, Pandemic Recovery” 15 October 2020

[Lexology](#): “Industrial Chemicals Registration Law Proposal Published for Public Commenting” [Israel] 13 October 2020

[Lexology](#): “District Court Vacates Obama-Era Methane Regulations” [USA] 13 October 2020

[Lexology](#): “How Risky Is Tossing Your Old Servers? Maybe \$60,000,000 Fine” [USA] 13 October 2020

[Lexology](#): “Massachusetts Adopts Summing Approach in Final Drinking Water Standards for PFAS” 30 September 2020

[IISD](#) SDG Knowledge Hub: “OECD, Experts Discuss Access to Information on Chemical Safety” 13 October 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: “Global Conference Promotes Role of Science in Sustainable Development” 15 October 2020

[Lexology](#): “Making Fashion Sustainable” 12 October 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Streaming Club – Session #5: South Africa’s Battle Between Coal and Climate (Documentary)

Date: 27 October 2020

Discussion: 19:30 Zoom

For our 5th session, we will be watching the [documentary](#) by the Thomson Reuters Foundation.

Start watching on YouTube at 19:00, and join us at 19:30 for a Zoom discussion. Keep an eye on our Facebook page for our guest experts and the Zoom discussion link.

Virtual KZN Ezemvelo Conservation Symposium

Date: 2-6 November 2020

More information on [Facebook](#) and [Website Programme](#)

IAIAsa and WWF: Virtual IEM Symposium: Opportunities for Progress

Dates: 21-23 October 2020

Time: 09:00-12:00

Please register at the Registration [link](#)

Windaba Virtual Conference: 10 Years and Beyond – Wind Energy Leading two Decades of Energy Transition

Date: 26 to 27 October 2020

[Programme](#)

[Registration](#) Should you have any queries regarding your registration please email [Marilize Stoltz](#) or phone [+27 11 214 0664](#)

Special registration fee for SAWEA members and students

National Wetland Indaba: NWI 2020: A Virtual Celebration of Wetland Biodiversity

Date: 28 October 2020

More [information](#)

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter @UNHABITAT | @ChairCles | #kas_ecssa | #strongcities2030

Register [here](#)

CBSS Water Governance Training Courses

Due to COVID 19, we had to cancel our Courses for May and July, but we will go ahead with the Pretoria and Cape Town Courses scheduled for the rest of the year, and have moved the date for the Cape Town Course to avoid exposure during August.

The dates for the rest of the year are now as follows:

- o **Western Cape**

Date: 10 – 12 November 2020

Venue: Rosenview Guest Farm, next to the R44 between Stellenbosch and Somerset West.

The cut-off date for Early Bird discounts now moves to 28 September 2020, and the last date for Registration is 20 October 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](#)

IAIAsa Western Cape - Upcoming Event: Upholding the principles of Public Participation in the midst of the COVID-19 Pandemic

Date: TBC

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

UP Enterprises: Online Environmental Law Course

Date: 16 November 2020

More [information](#)

SAEEC SAPVIA Solar PV GreenCard (PVGreen) Course

Classroom course and an e-course

- Classroom

Date: 23 - 27 Nov 2020

Place: Potchefstroom/Port Elizabeth/Johannesburg

- E-course

Dates: 1-2, 8-10 Dec 2020 combined

More information [Thieda Ferreira](#) | Cell: 084 011 5500

[Registration](#)

Launch of The State of Energy in South African Cities 2020 Report

Date: 26 November 2020

Registration and more [information](#)

International

FSU Program on Environmental, Energy, and Land Use Law: Visibility and Indivisibility in Resource Arrangements

Date: Wednesday, 21 October 2020

Time: 3:30 – 4:30 pm over [Zoom](#). (Florida time zone)

The lecture is free and open to the public, and CLE credit will be available.

Please register for the Lecture in advance using this link.

For more information about CLE credit, please contact [Whitney Borkowski](#).

Environmental & Climate Justice: Anti-Racist Movements and Principles for Practice

Date: Monday, 26 October 2020

Time: 7:00 pm to 9:00 pm

Learn more or register, [here](#).

George Washington University: Investing in Healthy Headwaters

Date: Tuesday, 27 October 2020

Time: Via Zoom from 12:00-1:00 p.m. Mountain Time

More [information](#) and registration

Green Growth: Sustainability and Circularity in the Textiles Value Chain

Date: 20 October 2020

Time: 14:00-15:30 SAST

[Registration](#)

Webinar on Productive Uses of Energy in Humanitarian Contexts

Date: 29 October 2020, Thursday at 11:00 am CET (check your [local time](#))

Register [here](#)

Read [more](#)

NEWS

National

- **Climate change and energy**

Carnie T “Turkish floating gas power ships sail into public consultation process after back-door passage to SA freezes up” [Daily Maverick](#) 18 October 2020

“DMRE publishes amendments to electricity regulations” [Bizcommunity](#) 19 October 2020

Arnoldi M “Transnet lauds conviction of fuel pipeline tamperer” [Engineering News](#) 19 October 2020

- **Local government**

[Nature](#): Nordling L “Pandemic of hunger - COVID-19 is straining African food security, but also presents an opportunity for change” 19 October 2020

- **Water, oceans, waste and chemicals**

Majola N “Environmentalists raise concern over polluted Durban river” [GroundUp](#) 12 October 2020

“Annual survey reveals plastics recycling figures for 2019” [Bizcommunity](#) 16 October 2020

“South Africa: Funds Allocated to Solve Vaal River Pollution” [allAfrica](#) 16 October 2020

“South Africa: Environment, Forestry and Fisheries Celebrates National Marine Week” [allAfrica](#) 15 October 2020

- **Miscellaneous**

“CSIR partnership results in high quality asphalt road” [Bizcommunity](#) 16 October 2020

Rademeyer A “Food insecurity in SA takes centre stage” [Bizcommunity](#) 16 October 2020

“Green, integrated approaches could address food security challenges” [Bizcommunity](#) 15 October 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Harvey F “Rewild to mitigate the climate crisis, urge leading scientists” [The Guardian](#) 14 October 2020

Dausen N “Firefighters hope to contain Kilimanjaro fire within hours” [Businesslive](#) 12 October 2020

“Tanzania: Kilimanjaro Fire - Foreign Mountaineers Evacuate As Blaze Rages” [allAfrica](#) 16 October 2020

“Angola Ratifies Convention On Nature Conservation” [allAfrica](#) 15 October 2020

Williams K “Federal appeals court allows Texas butterfly sanctuary lawsuit over border wall” [The Jurist](#) 16 October 2020

Harvey F “Vast majority of Europe's key habitats in poor or bad condition – report” [The Guardian](#) 19 October 2020

Jones S “Huge cat found etched into desert among Nazca Lines in Peru” [The Guardian](#) 18 October 2020

Sunder K “Rising tide: why the crocodile-like gharial is returning to India's rivers” [The Guardian](#) 19 October 2020

Cox L “Australian threatened species at risk with no recovery plans finalised in past 18 months” [The Guardian](#) 19 October 2020

Anderson K “More than a dozen whales found dead on New Zealand beach” [The Independent](#) 18 October 2020

Oppenheim M “Thousands of seal pups discovered dead in mysterious mass die-off at colony in Namibia” [The Independent](#) 18 October 2020

“Galloway and Southern Ayrshire Biosphere lands 'step-change' funding boost” [BBC](#) 19 October 2020

Murray M “Elephants: 'My mission to stop poachers in Zimbabwe’” [BBC](#) 18 October 2020

Elliot L “From disease to bushfires, Australia's iconic koalas face bleak future” [Reuters](#) 19 October 2020

- **Climate change and energy**

“Carbon Forward 2020: Voluntary developers bullish despite Paris-era warnings” [Carbon Pulse](#) 16 October 2020

“German Ministry for the Environment supports Gold Standard to frame transition of voluntary carbon market in line with Paris Agreement” [Carbon Pulse](#) 15 October 2020

Morehouse C “Gas generators ask FERC to apply PJM MOPR logic to NYISO” [Utility Dive](#) 16 October 2020

“EU nations closer to finding consensus on “increasing” 2030 climate target” [Carbon Pulse](#) 15 October 2020

Ambrose J “National Grid warns of short supply of electricity over next few days” [The Guardian](#) 14 October 2020

Baldeh N “Gambia: Stakeholders Validate Studies On Climate Resilience” [allAfrica](#) 16 October 2020

Williams K “Trump issues proclamation seeking to expand, increase solar safeguard tariffs” [The Jurist](#) 13 October 2020

McKittrick E “Alaska's new climate threat: tsunamis linked to melting permafrost” [The Guardian](#) 18 October 2020

Readfearn G “Queensland transition to renewables would generate almost 10,000 jobs, analysis shows” [The Guardian](#) 14 October 2020

“Climate change: Arctic Circle teens call for help to save their homes” [BBC](#) 18 October 2020

- **Local government**

Beament E “Woodland Trust to plant 50 million trees over 5 years to fight climate crisis” [The Independent](#) 19 October 2020

“Covid: Cardiff council halts green waste collections for winter” [BBC](#) 18 October 2020

“Russian court sentences Arctic city mayor to community service over fuel spill” [Reuters](#) 19 October 2020

- **Mining**

Herz N “Big Oil's answer to melting Arctic: cooling the ground so it can keep drilling” [The Guardian](#) 19 October 2020

Visontay E “Liberal MPs call for government to deny permit renewal that would allow drilling off NSW coastline” [The Guardian](#) 19 October 2020

Lowry D “Dangerous radiation levels from fracking” [The Guardian](#) 15 October 2020

Fowler J “Fracking: Tamboran to use 'conventional' drilling in shale gas search” [BBC](#) 18 October 2020

- **Water, waste, oceans and chemicals**

Vince G “Why there is hope that the world's coral reefs can be saved” [The Guardian](#) 18 October 2020

Dalton J “World’s biggest plastic producers join call for UN treaty fighting plastic pollution in oceans” [The Independent](#) 15 October 2020

Boyle L “Atlantic Ocean is at its hottest in 2,900 years” [The Independent](#) 14 October 2020

“Philippines: Environmentalists criticise artificial beach in Manila Bay” [BBC](#) 18 October 2020

Obayashi Y and Kaneko K “Japan to release Fukushima's contaminated water into sea: reports” [Reuters](#) 16 October 2020

- **Miscellaneous**

“ECB to review make up of bond buys in green push, Lagarde says” [Reuters](#) 14 October 2020

Rodriguez L “Federal appeals court rules Trump’s use of military funds for border wall unlawful” [The Jurist](#) 12 October 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

University of Fort Hare: Senior Lecturer: Adjectival Law, Public Law, &/or Mercantile Law

Closing date: 23 October 2020

More [information](#)

University of Fort Hare: Senior lecturer: Competition law

Closing date: 23 October 2020

More [information](#)

Anglo American: Environmental Intern

Closing date: 28 October 2020

More [information](#)

Centre for Environmental Rights: Two exciting opportunities to work at CER

Closing date: 1 November 2020

More [information](#)

ASSAf seeks to appoint an Editor-in-Chief for the *South African Journal of Science*

The *South African Journal of Science* (www.sajs.co.za) is an open-access, multidisciplinary journal published bimonthly by ASSAf. The Journal's mandate is to publish and promote the widest diversity of excellent South African research for the local and global academic community and inform policymakers and the public.

The Editor-in-Chief leads an editorial team of ten disciplinary-specialist Associate Editors who are responsible for managing the peer review of submissions in their disciplines. The Editor-in-Chief works closely with a full-time publishing team consisting of a Managing Editor and an Online Publishing Systems Administrator, led by the Director of Scholarly Publishing. The Editor-in-Chief reports to the Executive Officer of ASSAf and is accountable to the Editorial Advisory Board.

This part-time, three-year contract position requires regular hours per week (16 hours) with some flexibility. Candidates can be based anywhere in South Africa and are *not* expected to work from the ASSAf office. The successful applicant will be required to enter into a three-year Service Level Agreement with ASSAf. To apply, please submit a letter of application, a CV and the contact details of three references to Ms [Lynette du Plessis](#) at before 12 November 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.



A Public Benefit Organisation



ELA NEWSLETTER 43

23 October 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere!

Keep safe and keep contact via Facebook, the website, upcoming workshops and our ELA Streaming Club.

We shall launch a new website early November

POLICY

Department of Communications and Digital Technologies – Gen Notice 591 in GG 43834 of 23 October 2020 - Summary [Report](#) and Recommendations presented by Commission on the Fourth Industrial Revolution and Diagnostic Report of the Presidential Commission on the Fourth Industrial Revolution March 2020 [provided by Anél du Plessis]

BILLS

Draft Disaster Management Amendment Bill, 2020 – Gen Notice 601 in GG 43834 of 23 October 2020 - Intention to introduce private member's bill and draft bill - for comment

ACTS

Science and Technology Laws Amendment Act 9 of 2020 - GG 43829 of 22 October 2020 - commencement to be proclaimed

Judicial Matters Amendment Act 12 of 2020 - GG 43831 of 22 October 2020 – commenced 22 October 2020'

DIRECTIVES

Disaster Management Act 57 of 2002 - Directions

- Gen Notice 579 in GG 43826 of 21 September 2020 - Directions regarding the re-opening of schools and measures to address, prevent and combat the spread of COVID-19 in the National Department of Basic Education, and Provincial Departments of Education, and all schools in the Republic of South Africa published in GenN 343 in GG 43465 of 23 June 2020 amended

NOTICES

Disaster Management Act 57 of 2002 - GN 1104 in GG 43825 of 21 October 2020 - Regulations issued in terms of s. 27(2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended with effect from 22 October 2020

Department of Environment, Forestry and Fisheries - GN 1103 in GG 43823 of 19 October 2020 - United Nations Framework Convention on Climate Change (UNFCCC): Incorrect publication for comment of Draft Biennial Update Report-3 for the Republic of South Africa in GN 1079 in GG 43784 of 9 October 2020

Plant Breeders' Rights Act 15 of 1976 - GN 1111 in GG 43834 of 23 October 2020 - Receipt of applications for plant breeders' rights

Occupational Health and Safety Act 85 of 1993 - GN R1138 in GG 43835 of 23 October 2020 - Proposed National Code of Practice for the Training Providers of Lifting Machine Operators - for comment

Marine Living Resources Act 18 of 1998 - GN 1129 in GG 43834 of 23 October 2020 - Proposed Resource Split between Local Commercial and Small-Scale Fishing in the Traditional Linefish, Squid and Abalone Fishing Sectors - for comment

Marine Living Resources Act 18 of 1998 - GN 1130 in GG 43834 of 23 October 2020 - Proposed Reclassification of the White Mussel, Oyster and Hake Handline Fishing Sectors as Small-Scale Fishing Species - for comment

Skills Development Act 97 of 1998 - GN 1131 in GG 43834 of 23 October 2020 - Re-establishment of Mining Qualifications Authority (MQA) from 1 April 2022 to 31 March 2030 within the new SETA landscape

National Environmental Management Act 107 of 1998 – Gen Notice 575 in GG 43820 of 19 October 2020 - Environmental Management Framework Regulations, 2010, reg. 3 - Draft updated Gauteng Provincial Environmental Management Framework – for comment

Promotion of Access to Information Act 2 of 2000 – Gen Notices 593-600 in GG 43834 of 23 October 2020 - Descriptions submitted in terms of s. 15 (1) by the Department of Human Settlements; uMhlathuze Municipality and Swartland Municipality

National Railway Safety Regulator Act 16 of 2002 – Gen Notices 604 in GG 43834 of 23 October 2020 - Regulations regarding Infrastructure or Activity affecting Safe Railway Operations, 2020

National Environmental Management: Air Quality Act 39 of 2004 – Gen Notices 580 in GG 43827 of 22 October 2020 - Clarification of due date for the submission of 'Subsequent Pollution Prevention Plans' in terms of the National Pollution Prevention Plans Regulations as published under GN R712 in GG 40996 of 21 July 2017 and proposed process to manage carbon budgets for the period 1 January 2021 to 31 December 2022

National Energy Regulator Act 40 of 2004 - GN 1141 in GG 43841 of 23 October 2020 - National Energy Regulator of South Africa (NERSA): Notice of public hearings on Eskom's third Multi-Year Price Determination (MYPD3) Regulatory Clearing Account (RCA) Year 2 (2014/15), Year 3 (2015/16) and Year 4 (2016/17) applications, Eskom's Supplementary application and the implementation plan for liquidation of the 2018/19 RCA balance

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 577 in GG 43822 of 19 October 2020 - Delineation of Karoo Regional Spatial Development Framework Region

PROVINCES

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and National Environmental Management: Waste Act 59 of 2008 - MN 83 in PG 2233 of 22 October 2020 - Maphumulo Local Municipality: Waste Management By-laws

Spatial Planning and Land Use Management 16 of 2013 - MN 84 in PG 2233 of 22 October 2020 - Agreement to establish a Joint Municipal Planning Tribunal between Mandeni (KZN 291), Ndwedwe (KZN 293) and Maphumulo (KZN 294) Local Municipalities

Northern Cape

Division of Revenue Act 4 of 2020 – Gen Notice 104 in PG 2374 of 19 October 2020 - Planned expenditure from the Human Settlements Development Grant for Level 1 and 2 accredited municipalities for the 2020/21 MTEF

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management 16 of 2013 - MN 30 in PG 2374 of 19 October 2020 - Magareng Local Municipality - Review of the 2014 Spatial Development Framework (SDF)

Western Cape

Bergrivier Local Municipality: By-law Relating to the Control of Vessels and Boating Activities on the Berg River Estuary (2020) published and previous by-laws repealed (LAN 20533 in PG 8338 of 23 October 2020)

Western Cape Community Safety Act 3 of 2013: Western Cape Provincial Ombudsman Regulations, 2015: Amendment, 2020 published (PN 108 in PG 8339 of 23 October 2020) (p654)

National Environmental Management: Protected Areas Act 57 of 2003 - PN 109 in PG 8339 of 23 October 2020 - Intention to declare a nature reserve: Cedar Rock Nature Reserve - for comment

Nature and Environmental Conservation Ordinance 19 of 1974 - PN 110 in *PG* 8339 of 23 October 2020 - Hunting seasons, daily bag limits and hunting by the use of prohibited hunting methods, 2021

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20537 in *PG* 8339 of 20 October 2020 - Beaufort West Local Municipality - Appointment of members to serve on the Municipal Planning Tribunal

Eastern Cape

National Environmental Management Act 107 of 1998 - PN 173 in *PG* 4460 of 19 October 2020 - Final Eastern Cape Biodiversity Conservation Plan (2019) for implementation

Disaster Management Act 57 of 2002 - LAN 222 in *PG* 4460 of 19 October 2020 - Sarah Baartman District Municipality - Declaration of a Local State of Disaster in respect of drought and water shortages

CASES

National

National Council of Societies for the Prevention of Cruelty to Animals v Al Mawashi (Pty) Ltd and Others (995/2020) [2020] [ZAECGHC](#) 118 (15 October 2020)

Application for interdict – transport of live sheep via ships – OIE Standards – reasonable apprehension of harm

PUBLICATIONS

International

Sustainable Development Solutions Network USA [America's Zero-Carbon Action Plan \(ZCAP\)](#) (October 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Mail & Government](#): Bega S “Ghost fishing gear an ‘immortal menace’ in oceans” 24 October 2020

[Daily Maverick](#): Abensperg-Traun M “CITES has degenerated into a battleground in the war between Western NGOs and African conservationists” 27 October 2020

- **Climate change and energy**

[Webber Wentzel](#): “Proposed process to manage carbon budgets for the period of 1 January 2021 to 31 December 2022” 27 October 2020

- **Environmental enforcement**

[Daily Maverick](#): Von Bormann T “Covid-19 has taught us we cannot separate social from environmental justice” 26 October 2020

[Daily Maverick](#): Lenferna A “Ramaphosa’s plan: Economic recovery for the few, ecological devastation for many” 25 October 2020

- **Local government**

[Daily Maverick](#): Ellis E “Karoo towns Willowmore, Steyterville and Jansenville in the dark as municipality can’t pay R12-million electricity bill” 27 October 2020

[CLES](#) Critical Conversation: “The resilience of environmental systems – why relevant for South African cities” Dr Maike Hamann (US) 15 October 2020

[IOL](#): “SA’s cities to switch to solar as power monopoly ends” 27 October 2020

Africa

- **Biodiversity, protected areas and culture**

[allAfrica](#): “Zimbabwe: 'Honeymoon Over for Poachers'” 27 October 2020

- **Climate change and energy**

[BusinessLive](#): Lobrana LM “Africa more vulnerable to climate change, says UN report” 26 October 2020

[BBC](#): McGrath M “Climate change: 'Dangerous and dirty' used cars sold to Africa” 26 October 2020

- **Environmental enforcement**

[allAfrica](#): “Zimbabwe: Call for Establishment of Environmental Courts to Deal With Saboteurs” 27 October 2020

- **Mining**

[Extractives Baraza](#): “Total Under Fire Over Uganda Land Issues” 20 October 2020

[BusinessDay](#): Kumar A “Barrick Gold gets 10 new licences for Tanzania exploration” 23 October 2020

[allAfrica](#): “African Union Seeks to Seize Initiative Over Nile Dam Talks” 26 October 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Science](#): Pawar P “Strict biodiversity laws prevent Indian scientists from sharing new microbes with the world” 20 October 2020

[IISD](#) SDG Knowledge Hub: “Papua New Guinea Works to Improve Management of Protected Areas” 26 October 2020

- **Climate change and energy**

[Lexology](#): “Energy Commission Proposes Water Quality Certification Practices for Pipelines, Natural Gas Projects” 20 October 2020

[EnergyTradeoffs.com](#) features conversations with scholars and experts whose work addresses the difficult tradeoffs associated with the green energy transition—tradeoffs between energy reliability, energy affordability, and the environmental impacts of energy production, as well as political and other tradeoffs.

Environmental and Energy Law Student Organizations at GW and Howard: Environmental justice and healthcare equity with GW Dean Dayna Bowen Matthew and Howard Professor Carlton Waterhouse: This Fireside Chat was recorded, and can be [accessed here](#).

[Union of Concerned Scientists](#): Knox J “A Historic Nuclear Ban Treaty Is Set to Become International Law: Here’s What That Means” 24 October 2020

[Lexology](#): “European Standard Green Bonds - State of play and latest reactions” 22 October 2020

[Lexology](#): “Ireland and the EU 2030 Climate Target Plan” 22 October 2020

- **Environmental enforcement**

[Mer](#): Netherlands Commission on Environmental Impact Assessment – interesting guideline documents, SEAs and EIAs that have been undertaken all over the world [IAIASa Conference 22 October 2020]

[Lexology](#): “The Final Stage in the Implementation of Quebec’s New Environmental Authorization Framework” 19 October 2020

[Nature](#): Fuchs R *et al* “Europe’s Green Deal offshores environmental damage to other nations” 26 October 2020

[Lexology](#): “New Jersey’s First-in-the-Nation State Environmental Justice Law” 22 October 2020

- **Local government**

[Science](#): Behr P “U.S. cities struggling to meet lofty climate goals” 22 October 2020

[IISD](#) SDG Knowledge Hub: “Multilateralism Needs Multilevel Cooperation: Daring Cities Meeting for UN75” 26 October 2020

[Aljazeera](#): “New study links air pollution to 15 percent of COVID-19 deaths” 27 October 2020

- **Mining**

IISD [ENB](#): 16th Annual General Meeting of the Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF) | 20-22 October 2020 | Virtual

[IISD](#) SDG Knowledge Hub: “Mining Forum Reviews Impacts of COVID-19 on Climate Action, Gender Equality” 26 October 2020

[Extractives Baraza](#): “Mining Giants Turn Backs on Coal in Face of Investor Pressure” 21 October 2020

[Extractives Baraza](#): “Small Mining Companies Knocked for Falling Behind on Diversity” 21 October 2020

- **Water, oceans, waste and chemicals**

[Science](#): Cornwall W “Distant seas might predict Colorado River droughts” 16 October 2020

[Lexology](#): “America’s Water Infrastructure Act: More Deadlines Ahead for Community Drinking Water Systems!” 23 October 2020

[Lexology](#): “United States Found Not Liable As Operator Under CERCLA For Shutdown Order” 22 October 2020

[IISD](#) SDG Knowledge Hub: “The Underexposed Effects of Climate Change on Groundwater: An Out-Of-Sight Crisis” 26 October 2020

[Los Angeles Times](#): Xia R “L.A.’s coast was once a DDT dumping ground” 25 October 2020

[The Jurist](#): Williams K “Federal appeals court allows EPA to delay implementation of landfill emission rules” 24 October 2020

- **Miscellaneous**

[Lexology](#): “Trends in electric mobility: El Salvador on the road to sustainable mobility in its regulatory framework”

[IISD ENB](#): UN75 and Beyond: Inclusive Multilateralism and Voluntary Local Reviews (VLR) as a Tool | 23 October 2020 | Online

[Science](#): Pease R “Dust Bowl 2.0? Rising Great Plains dust levels stir concerns” 20 October 2020

[Lexology](#): “Take 2 Video - Canada’s Green Answer to COVID-19’s Economic Aftermath” 22 October 2020

[IISD](#) SDG Knowledge Hub: “UN Day 2020 Highlights Youth Role, Common Enemy of COVID-19” 26 October 2020

[IISD](#) SDG Knowledge Hub: “Solomon Islands’ State of Environment Report Highlights Challenges of Agricultural Development” 26 October 2020

[The Jurist](#): Williams K “Green groups sue US Homeland Security department over environmental impacts of tear gas use” 23 October 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Eastern Cape Webinar: Litigating International Environmental Law: Substantive & Strategic Considerations

Date: 5 November 2020

Time: 16:00 (SA Time) (Zoom)

Speakers: Clara Brillembourg and Tafadzwa Pasipanodya, partners in Foley Hoag LLP's International Litigation and Arbitration Practice, based in Washington DC.

Their collective experience includes representing sovereign states at the ICJ, UNCITRAL and ICSID.

Registration and information on Facebook and Website

Virtual KZN Ezemvelo Conservation Symposium

Date: 2-6 November 2020

More information on [Facebook](#) and [Website Programme](#)

Windaba Virtual Conference: 10 Years and Beyond – Wind Energy Leading two Decades of Energy Transition

Date: 26 to 27 October 2020

[Programme](#)

[Registration](#) Should you have any queries regarding your registration please email [Marilize Stoltz](#) or phone [+27 11 214 0664](#)

Special registration fee for SAWEA members and students

National Wetland Indaba: NWI 2020: A Virtual Celebration of Wetland Biodiversity

Date: 28 October 2020

More [information](#)

UN-Habitat | KAS | CLES (SA Research Chair in Cities, Law and Environmental Sustainability) Urban Law Day "The City, Climate Change and Vulnerability: Leveraging Law for Climate Resilience" – Save the date

Dates: 29 & 30 October 2020

Read more here: Twitter [@UNHABITAT](#) | [@ChairCles](#) | [#kas_ecssa](#) | [#strongcities2030](#)

Register [here](#)

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

UP Enterprises: Online Environmental Law Course

Date: 16 November 2020

More [information](#)

TIPS Webinar Unravelling South Africa's Just Transition: Unpacking the ground-level impacts in the coal value chain

Tuesday 3 November 2020

Time: 10:00-12:00

Please [register](#) in advance for this webinar

More [information](#)

ASSAF Neonicotinoid Insecticides: Use and Effects in African Agriculture A Review and Recommendations to Policymakers

Date: 18 November 2020

Time: 10:00-12:00

[Registration](#)

International

UNGDA Side-Event Briefing on Strengthening Cooperation for International Environmental Law

Date: 27 October 2020,

Time: 1:30 – 2:45 p.m. (Eastern Daylight Time)

To register, click [HERE](#)

Register for the Youth Sustainable Energy Hub Launch

The Youth Sustainable Energy Hub is the first of its kind global platform showcasing the work of youth practitioners in the sustainable energy sector. The event will be a celebration of youth action toward advancing SDG7 and an opportunity to show intergenerational solidarity in ensuring sustainable energy for all.

Date: 11 November 2020

Time: 10:00 EST / 15:00 UTC

Registration: <https://youthsehub.org/launch/>

The UN Environment Programme (UNEP) and Open Universiteit (OU) are once again excited to announce the opening of the Marine Litter Massive Open Online Course (MOOC)

The course is separated into a Leadership Track and an Expert Track, and is now open for registration at the [MOOC's official website](#). The course starts on October 26, 2020 and participation is free for all offered languages.

This offering of the MOOC is complete with all six official UN languages (Arabic, Chinese, English, French, Russian and Spanish) plus Portuguese and three new languages from South-East Asia, namely **Indonesian, Thai and Vietnamese** for the Leadership Track. This Marine Litter MOOC is a key activity of the [Global Partnership on Marine Litter](#) (click to [join the GPML](#)) and a part of the [Clean Seas Campaign](#) with support from the [UNEP and COBSEA SEA circular project](#). Upon successful completion of each track, students will receive a certificate.

Please forward and share news of the MOOC with your networks and colleagues! Follow or like the [MOOCs Facebook page](#) and visit the [SEA circular MOOC website](#) for more information on our work on marine litter and plastic pollution in South-East Asia.

Engaging Civil Society in the Energy Transition: the Role of Grids

One major stumbling block in transitioning to a 100% renewable energy supply is the limited distribution network: the grid.

The goal of this interactive workshop on 3 November is to introduce the importance of the development of electrical grids, and provide examples of situations in which civil society was able to push for stronger grids.

[REN21](#) (the Renewable Energy Policy Network for the 21st Century) will host two nearly identical workshops on 3 November for various time zones around the world.

Register and discover [more](#):

NEWS

National

- **Climate change and energy**

New Pollution Prevention Plans and Carbon Budget Measures

- “In the current phase of the carbon tax, (2019 to 2022), companies taking up a voluntary carbon budget receive a 5% carbon budget allowance under the carbon tax. These carbon budgets have been allocated for the period 2016 to 2020 and they cease to exist by 31 December 2020.
- The current Pollution Prevention Plans last until 31 Dec 2020. 2nd round Pollution Prevention Plans under the Air Quality Act are due by 31 May 2021
- The carbon budget allocation methodology for the mandatory carbon budget system - planned to commence with the 2nd phase of carbon tax on 1 January 2023 - will be “consulted with stakeholders” and finalised by end March 2021
- Once the CC Act is promulgated, the Regulations for Carbon Budget and Mitigation Plans (currently known as pollution prevention plans), will be published (accompanied by the carbon budget methodology and requirements for content of mitigation plans) and will integrate the new carbon budgets and mitigation plans. Companies are encouraged to use the period between 1 January 2021 and 31 December 2022 as a pilot period for linking of the carbon budgets and mitigation plans with the view that, by the time the carbon budgets become mandatory in 1 January 2023, they would have been using the new system already. DEFF also wishes to use the pilot period to test the new methodology for allocating the carbon budget and encourages companies to volunteer to use the new methodology once finalised. Companies will still qualify for the 5% carbon budget allowance during this pilot period and the Department will continue to provide a clearance to companies for submission to the National Treasury/South African Revenue Services in order for them to fulfil the requirement for the carbon budget allowance under the Carbon Tax Act. [Robyn Hugo Director: Climate Change Engagement – provided by Andrew Gilder ClimateLegal]

- **Local government**

Damba-Hendrik “Butterworth water protests politically motivated says municipality” [GroundUp](#) 23 October 2020

- **Water, oceans, waste and chemicals**

Majola N ““Massive” oil spill in Umbilo River” [GroundUp](#) 21 October 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Ledger E “Conservationists warn that violation of China’s wildlife trade ban is ‘rampant’” [The Independent](#) 27 October 2020

Boyle L “Coral reef taller than Empire State Building is first discovered in Australia’s Great Barrier Reef for 120 years” [The Independent](#) 27 October 2020

Batchelor T “England’s natural assets are in serious decline, warns expert committee” [The Independent](#) 27 October 2020

Dalton J “Halt EU ivory trade to save elephants, ministers tell commission” [The Independent](#) 23 October 2020

- **Climate change and energy**

Joselow M “Exclusive: GM, Ford knew about climate change 50 years ago” [E&E News](#) 26 October 2020

“EU environment ministers strike partial deal over bloc’s climate law” [Carbon Pulse](#) 23 October 2020

“Department of National Defence faces hefty fine for improper storage tank system” [Lexology](#) 21 October 2020

Watts J “‘Sleeping giant’ Arctic methane deposits starting to release, scientists find” [The Guardian](#) 27 October 2020

Long S “Queensland teenagers lodge legal action against Adani coal mine to save Great Barrier Reef” [abcNews](#) 23 October 2020

- **Environmental enforcement**

Harrabin R “Fears over ‘weakening’ of UK green watchdog” [BBC](#) 27 October 2020

- **Water, waste, oceans and chemicals**

Cockburn H “Radioactive Fukushima waste water contains substances which ‘could damage human DNA’, Greenpeace warns” [The Independent](#) 26 October 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

University of Johannesburg: Professor Private law

Closing date: 2 November 2020

More [information](#)

University of KwaZulu-Natal: Lecturer Planning Law

Closing date: 8 November 2020

More [information](#)

Human Sciences Research Council Phd Research Intern

Closing date: 13 November 2020

More [information](#)

Anglo American: Environmental Intern

Closing date: 28 October 2020

More [information](#)

Centre for Environmental Rights: Two exciting opportunities to work at CER

Closing date: 1 November 2020

More [information](#)

Stellenbosch University Postgraduate Scholarship Programme

Please find updated call document with new links to the online application forms [here](#)

Please visit the Postgraduate Funding Unit's [website](#) for more information.

Closing date: 13 November 2020

College of Law and Management Studies School of Law Attorney in the Law Clinic/Lecturer Howard College Campus (1 Post)

Closing date: 10 January 2021

More [information](#)

International

New position at GRI to work with climate laws and litigation

We are hiring a policy analyst to manage and develop our [Climate Change Laws of the World](#) database and to carry out analysis on climate change policies, laws & litigation.

The post has gone up [live](#) today, and the deadline is November 23rd:

Candidates should have a postgraduate degree in environmental policy, energy policy, environmental economics, law, international relations or a related field, and some work experience in climate change policy, environmental policy, law, energy policy, environmental economics, international relations or a related field; experience of knowledge and/or database management; experience of producing high-quality analysis aimed at decision-makers; Strong analytical skills with the ability to produce high-quality policy analysis in a timely manner, including ability to analyse and research complex ideas and apply appropriate methodologies and excellent communications skills, including written and oral English.

For further information about the post, please see the [how to apply document](#), [job description](#) and the [person specification](#).

For queries, please [email](#)

[Lecturer / Senior Lecturer in Law, Science and Technology](#)

University of Queensland Law School

[Faculty Position in Socio-Legal Studies](#)

Ryerson University Department of Criminology

[Faculty Position in Indigenous Law](#)

Ryerson University Faculty of Law

[Faculty Position in Law](#)

Ryerson University Faculty of Law

[Faculty Position in Race and the Law](#)

Ryerson University Faculty of Law

[Assistant / Associate Professor in Law](#)

Roskilde University Department of Social Sciences and Business

[Professor of Law](#)

University of Helsinki Faculty of Law

[Postdoctoral Researcher in Intellectual Property, Finance, Innovation and Sustainability](#)

University of Helsinki Faculty of Law

[Postdoctoral Fellow in Urban Planning and Design](#)

University of Hong Kong Department of Urban Planning and Design

[Postdoctoral Fellow in Technology Law](#)

University of Hong Kong Department of Law

[Assistant Professor of Environmental and Natural Resource Economics](#)

Wageningen University Department of Social Sciences

[Assistant Professor of Environmental and Sustainability Governance](#)

Utrecht University

[Research Fellow in Cities and Innovation](#)

Singapore University of Technology and Design Lee Kuan Yew Centre for Innovative Cities

[Postdoctoral Position in Law](#)

University of Zurich Faculty of Law

[PhD Position in Law](#)

University of Zurich Faculty 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.



A Public Benefit Organisation



ELA NEWSLETTER 44

30 October 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere!

Keep safe and keep contact via Facebook, the website, upcoming workshops and our ELA Streaming Club.

We shall launch a new website early November

LEGISLATION

DIRECTIONS

Disaster Management Act 57 of 2002 - GN 1144 in GG 43846 of 26 October 2020
- Directions relating to biodiversity auctions translated

NOTICES

Magistrates' Courts Act 32 of 1944 - GN 1161 in GG 43861 of 30 October 2020
- Appointment of places within each regional division for the holding of a court published and GN 670 in GG 33418 of 29 July 2010 withdrawn

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 - GN 1143 in GG 43844 of 26 October 2020 - Amendment Regulations Relating to Health Messages on Container Labels of Alcoholic Beverages, 2015 [sic] published in GN 1458 in GG 41350 of 22 December 2017 repealed

Rules Board for Courts of Law Act 107 of 1985 - GN R1156 in GG 43856 of 30 October 2020 - Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa amended with effect from 1 December 2020

Rules Board for Courts of Law Act 107 of 1985 - GN R1157 in GG 43856 of 30 October 2020 - 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 December 2020

Rules Board for Courts of Law Act 107 of 1985 - GN R1158 in GG 43856 of 30 October 2020 - Rules regulating the conduct of the proceedings of the Supreme Court of Appeal of South Africa amended with effect from 1 December 2020

Constitution of the Republic of South Africa, 1996 - Proc 31 in GG 43862 of 30 October 2020 - Transfer of administration, powers and functions entrusted by the Businesses Act 71 of 1991 from the Minister of Trade, Industry and Competition to the Minister of Small Business Development

National Water Act 36 of 1998 - GN 1152 in GG 43855 of 30 October 2020 - Proposed amendment of the Breede-Gouritz Water Management Area through extending the boundary and area of operation to include the Berg-Olifant Water Management Area published for comment in GN 1079 in GG 43784 of 9 October 2020 corrected

National Environmental Management Act 107 of 1998 - GN 1150 in GG 43855 of 30 October 2020 - Procedures for the assessment of and minimum criteria for reporting on the environmental impacts for activities requiring environmental authorisation published in terms of ss. 24 (5) (a) and (h) and 44 of the Act

National Environmental Management: Waste Act 59 of 2008 - GN 1145 in GG 43847 of 26 October 2020 - Notice of intention to take a decision on applications for the exclusion of a waste stream or a portion of such a waste stream for beneficial use from the definition of waste - for comment

Financial Markets Act 19 of 2012 - BN 130 in GG 43855 of 30 October 2020 - Notice of proposed amendments to the A2X Listing Requirements - for comment

PROVINCES

Limpopo

Spatial Planning and Land Use Management 16 of 2013 – Gen Notice 70 in PG 3114 of 30 October 2020 - Greater Letaba Local Municipality - Draft Spatial Development Framework – for comment

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 84 in PG 3207 of 30 October 2020 - Nkomazi Local Municipality: Draft Trading By-Law

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 234 in PG 4464 of 26 October 2020 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions for a further month

Gauteng

National Environmental Management Act 107 of 1998 – Gen Notice 880 in PG 202 of 28 October 2020 - Draft Gauteng Provincial Environmental Management Framework – for comment

PUBLICATIONS

National

Steyn N and Steenkamp M "Case Study Compendium: Local Climate Change Action in 10 SA Cities" (KAS October 2020)

Henrico R "Legislative administrative action and the limited extent of public participation" 2020 *Journal of South African Law* 496-509

International

Law KL *et al* "The United States' contribution of plastic waste to land and ocean" 2020 6(44) *Science Advances* DOI: 10.1126/sciadv.abd0288

Mariani G *et al* "Let more big fish sink: Fisheries prevent blue carbon sequestration-half in unprofitable areas" 2020 6(44) *Science Advances* DOI: 10.1126/sciadv.abb4848

Martin C *et al* "Exponential increase of plastic burial in mangrove sediments as a major plastic sink" 2020 6(44) *Science Advances* DOI: 10.1126/sciadv.aaz5593

Josh Gellers, *Rights for Robots: Artificial Intelligence, Animal and Environmental Law* (Routledge 2020). The book is now available for free via Open Access [here](#)

Tanana H "[Indian Country Post McGirt: Implications for Traditional Energy Development and Beyond](#)" 2021 45 *HARVARD ENVTL. L. REV.*

Tanana H and Ruple J "[NEPA at 50—An Analysis of the Data in the Courts](#)" 2020 66 *ROCKY MOUNTAIN. MINERAL LAW INST.*

Tanana H and Ruple J "[Debunking the Myths behind the NEPA Review Process](#)" 2020 35 *NATURAL RESOURCES & ENVIRONMENT* 14

Tanana H and Ruple J "[Beyond the Antiquities Act: Can the BLM Reconcile Energy Dominance and National Monument Protection?](#)" 2020 34 *NATURAL RESOURCES & ENVIRONMENT* 8

Vermont Law School's Center for Agriculture and Food Systems (CAFS) and the Harvard Law School Food Law and Policy Clinic (FPLC) "[The Urgent Call for a U.S. National Food Strategy: An Update to the Blueprint](#)" 29 October 2020

Klass Alexandra "Eminent Domain Law as Climate Policy" 2020 *Wisconsin Law Review* 49 [Open Access](#) | [SSRN](#)

Klass Alexandra "The Public Use Clause in an Age of U.S. Natural Gas Exports" 2020 72 *Stanford Law Review Online* 103 [Open Access](#) | [SSRN](#)

Klass Alexandra “Regulating the Energy ‘Free Riders’” 2020 100 *Boston University Law Review* 581) [Open Access](#) | [SSRN](#)

Klass Alexandra & Coleman James W “Energy and Eminent Domain” 2019 104 *Minnesota Law Review* 659 [Open Access](#) | [SSRN](#)

Feo T and Evans S “The Costs of Wildfires in California” (CCST [Report](#) 29 October 2020)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Daily Maverick](#): Davis R “The man who blew up Koeberg” 31 October 2020

- **Local government**

Thomas Reuters [Foundation](#): Harrisberg K “Snakes and sewage: Housing troubles grow in S. Africa's Soweto” 26 October 2020

Thomas Reuters [Foundation](#): Scholtz L “Why cities must put nature at the heart of their recovery” 23 October 2020

- **Water, oceans, waste and chemicals**

[Daily Maverick](#): Ngam R “South Africa is drying up – and it is only going to get worse” 28 October 2020

- **Miscellaneous**

[Daily Maverick](#): Fourie L and Bäte O “In the wake of Covid-19, we need to recalibrate global capitalism through sustainable investment” 29 October 2020

Africa

- **Biodiversity, protected areas and culture**

[The Guardian](#): Richardson H “Estimated 5,000 Cape fur seal foetuses found on Namibian coast” 15 October 2020 – also read [Africanews.com](#)

[allAfrica](#): Chifamba J “Botswana: Dozens of Endangered Vultures Found Dead” 29 October 2020

[The Independent](#): Ledger E “How Africa’s exportation of ‘countless’ wild animals fuels the deadly wildlife trade” 1 November 2020

- **Climate change and energy**

[The Guardian](#): Miururi P “‘Old and unsafe’ cars sent to developing world fuelling air pollution, report finds” 27 October 2020

- **Local government**

[ICLEI](#): Rise Africa

[ICLEI](#): “How cities in developing countries can address urban freight – Part 2” 21 October 2020

[Daily Maverick](#): Naidoo D “A water and sanitation revolution is coming, and Africa and Latin America can lead the way” 29 October 2020

[The Conversation](#): Nzeadibe C “Why African cities should have engaged non-state actors in the fight against COVID-19” 29 October 2020

- **Mining**

[Extractives Baraza](#): Jamasmie C “Tanzania: Barrick Granted Ten Exploration Licences in Tanzania” 27 October 2020

- **Water, oceans, waste and chemicals**

[AllAfrica](#): “East Africa: Ethiopia Accuses Trump of Inciting 'War' Over Nile Dam” 24 October 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Youtube](#): ROV Dive 401 (Pt A) - Newly Discovered 500m Tall Reef [Great Barrier Reef]

Thomas Reuters [Foundation](#): Biron CL “Wolves and weed: U.S. voters choose future of public lands” 27 October 2020

Thomas Reuters [Foundation](#): Zuker F “‘We are being squeezed’, says prize-winning Amazon indigenous activist” 22 October 2020

- **Climate change and energy**

[Science](#): O’Grady C “Jury duty for global warming: citizen groups help solve the puzzle of climate action” 29 October 2020

[Vice](#): Lomax JN “2020’s Equator Prize Winners Offer a Roadmap for Solving the Climate Crisis” 6 October 2020

University of Minnesota Law School [Seminar](#): “The Legal and Scientific Case for Recovering Climate Change Damages” Available on Youtube

[BBC](#): Gill V “Light pollution’s wasted energy seen from space” 29 October 2020

[Lexology](#): “ICYMI: California to conserve land, coasts to capture carbon and fight climate change” 26 October 2020

[Lexology](#): “Climate Change Litigation: Oregon Rejects Expansion of Public Trust Doctrine” 27 October 2020

[IISD](#) SDG Knowledge Hub: “World Bank [Report](#) Maps Strategic Directions Towards Decarbonization” 29 October 2020

- **Environmental enforcement**

[Lexology](#): “EPA Finalizes Project Emissions Accounting Rule for New Source Review Permitting Determinations” [USA] 27 October 2020

[Lexology](#): “EU moves to expand rights for environmental NGOs to challenge acts on environmental grounds” 27 October 2020

[Lexology](#): “EPA Relaxes Policy on Startup, Shutdown, and Malfunction Emissions Standards” 15 October 2020

[Lexology](#): “NSW court confirms approach to prosecuting separate environmental offences” 27 October 2020

- **Local government**

[ICLEI](#): Daring Cities: “Global urban leaders showcase decisive actions in largest gathering for cities on climate change” 29 October 2020

[ICLEI](#): “EcoLogistics Principles are launched to transform low-emission urban freight transport” 7 October 2020

[ICLEI](#): “Green City Finance Directory helps cities access sustainable finance” 26 October 2020

[ICLEI](#): Ecologic principles

[ICLEI](#): “Framing sustainable urban logistics in cities” 20 October 2020

Thomas Reuters [Foundation](#): Tabary Z “Cities reboot: Urban life in the age of COVID-19” 27 October 2020

Thomas Reuters [Foundation](#): Chandran R “Post-COVID plan for paid spots on Australia's Bondi divides sunseekers” 26 October 2020

Thomas Reuters [Foundation](#): “Caught by deluges and droughts, India's cities look to become climate smarter” 26 October 2020

- **Mining**

[Washington Post](#): Eilperin J “Trump to strip protections from Tongass National Forest, one of the biggest intact temperate rainforests” 28 October 2020

[Lexology](#): “Queensland Government introduces further mine rehabilitation reforms” 26 October 2020

- **Water, oceans, waste and chemicals**

[Cal-Span](#): “One of the regional water boards in California has embarked on a proceeding to fix the shortcomings that a court has adjudged unlawful in one of the cases they handled, and it's a remarkable demonstration of “slippage” in the law – where the agricultural industry gets endless audience. That might not come through in watching the video of just one of the workshops, but the proceedings are fascinating nevertheless. The subject is nonpoint source pollution from agricultural runoff of synthetic nitrogen fertilizer and pesticides, which also touches on vegetative buffers.”

[Lexology](#): “Brazilian Institute Proposes Revised Chemical Classification, Labeling, and Hazard Communication Standard” 27 October 2020

[Lexology](#): “Het Europese Hof van Justitie laat zich uit over de begrippen ‘afvalstof’ en ‘einde-afvalstatus’” 23 October 2020 [The European Court of Justice interpret waste and end-waste status]

[IISD](#) SDG Knowledge Hub: “UNEP Compares [Options](#) for Science-Policy Interface on Chemicals and Waste” 28 October 2020

[Lexology](#): “Trump Seeks to Create Coordinated Federal Water Policy via Executive Order” 26 October 2020

- **Miscellaneous**

[Science](#): Clery D “United Kingdom lights up its unusual fusion reactor” 30 October 2020

[Science](#): Perkins S “The Moon may hold much more water than we think” 26 October 2020

[UNDP](#): “Covid 19 & Poverty” (October 2020)

[UNDP](#): “Human Mobility, Shared Opportunity: A review of the 2009 Human Development Report and the way ahead” (October 2020)

[UNDP](#): “World Is In Our Hands” 27 October 2020

[UNDP](#): Zhang Y “Measuring development progress beyond income” 20 October 2020

[The Independent](#): Cuthbertson A “Elon Musk’s SpaceX Will ‘Make Its Own Laws On Mars’” 29 October 2020

[Lexology](#): “Update to Equator Principles Expands Scope of Diligence Required for Projects” 26 October 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Eastern Cape Webinar: Litigating International Environmental Law: Substantive & Strategic Considerations

Date: 5 November 2020

Time: 16:00 (SA Time) (Zoom)

Speakers: Clara Brillembourg and Tafadzwa Pasipanodya, partners in Foley Hoag LLP's International Litigation and Arbitration Practice, based in Washington DC.

Their collective experience includes representing sovereign states at the ICJ, UNCITRAL and ICSID.

Registration and information on Facebook and Website

Virtual KZN Ezemvelo Conservation Symposium

Date: 2-6 November 2020

More information on [Facebook](#) and [Website Programme](#)

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

UP Enterprises: Online Environmental Law Course

Date: 16 November 2020

More [information](#)

TIPS Webinar Unravelling South Africa's Just Transition: Unpacking the ground-level impacts in the coal value chain

Tuesday 3 November 2020

Time: 10:00-12:00

Please [register](#) in advance for this webinar

More [information](#)

ASSAF Neonicotinoid Insecticides: Use and Effects in African Agriculture A Review and Recommendations to Policymakers

Date: 18 November 2020

Time: 10:00-12:00

[Registration](#)

International

SCELG seminar Environmental Rights in Marine Spaces

Date: 13 November 2020

Time 10 – 11 AM Glasgow time

[Registration](#)

More [information](#)

Climate Change Litigation Initiative (C2LI) webinar in collaboration with the LSE Grantham Research Institute on Climate Change and the Environment: Climate Change Litigation in Brazil

Date: 13 November 2020

Time: 3 – 4:30 PM Glasgow time

[Registration](#)

LoCS4Africa virtual congress: The key forum for leaders to share strategies on climate action and financing in Africa

Date: 3 - 12 November 2020

More [information](#)

BEHAVE 2020 - the 6th European Conference on Behaviour and Energy Efficiency postponed

New date: 21-23 April 2021

The new deadline for abstract submission is 31 October 2020. Apart from presenting during the conference, the accepted abstracts will be included in the conference proceeding. The organizers are the European Network of Energy Regulators and the Copenhagen Centre of Energy Efficiency. The organizers plan to work a special issue in the journal Energy Policy based on abstracts submitted. The conference dates are fixed, in case it is impossible to have the conference in person in Copenhagen, we will move the meeting online. For more details, please visit the [website](#)

Information about the previous version of the conference is available [here](#)

Natural Justice: Launch of the Living Convention

Date: 3 November 2020

Time: 3pm SAST

Length: 1hr 30 min

More [information](#) and registration

NEWS

National

- **Biodiversity, protected areas, culture and animal rights**

Kretzmann S “Province goes to court over River Club ruling - The Public Works department wants the Heritage Tribunal’s findings overturned” [GroundUp](#) 29 October 2020

- **Climate change and energy**

“Offset supply squeeze, Sasol SOS as first South African carbon tax compliance period in the books” [Carbon Pulse](#) 29 October 2020

Bega S “Beat the heat with cool zones” [Mail & Guardian](#) 31 October 2020

Joffe H “Eskom debt plan promised” [TimesLive](#) 1 November 2020

“Eskom needs R56bn from govt this year. Soweto and municipalities now owe it R41 billion” [Business Insider](#) 30 October 2020

Bulbulia T “Nersa to hold public hearings on Eskom's MYPD 3 RCA applications” [Engineering News](#) 30 October 2020

- **Local government**

Nowicki L “Makhanda community take City to court over poor waste management” [GroundUp](#) 30 October 2020

Lali V “Homes waterlogged with “liquid shit” for three months - City of Cape Town says the residents have occupied a stormwater retention pond unlawfully” [GroundUp](#) 29 October 2020

“SA’s cities to switch to solar as power monopoly ends” [IOL](#) 27 October 2020

Liedtke S “Nature must be brought back into cities, says regenerative design expert” [Engineering News](#) 29 October 2020

- **Mining**

Kockott F and Hattingh M “Slain mining activist to be buried on Friday” [GroundUp](#) 29 October 2020

Koko K and Nkosi O “The living nightmare of environmental activists who protest mine expansion” [GroundUp](#) 29 October 2020

Stoddard E “France’s Total makes second ‘significant’ gas find off SA’s southern coast” [Daily Maverick](#) 28 October 2020

Liedtke S “Anglo reinforces sustainability goals, clarifies decarbonisation pathway goals” [Mining Weekly](#) 30 October 2020

Bulbulia T “Digital transformation has potential to unlock billions in mining value” [Mining Weekly](#) 30 October 2020

- **Water, oceans, waste and chemicals**

Naidoo M “Beautiful Palmiet River now ‘open sewer’” [IOL](#) 1 November 2020

“Temperatures up, dam levels down – KZN residents urged to save water” [Engineering News](#) 29 October 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Abensperg-Traun M “CITES has degenerated into a battleground in the war between Western NGOs and African conservationists” [Daily Maverick](#) 27 October 2020

Woolaston K and Fisher JL “850,000 animal viruses could be caught by humans, unless we protect nature - UN report” [Bizcommunity](#) 30 October 2020

Beeken E “Trump administration drops federal protections for gray wolf” [The Jurist](#) 30 October 2020

Goddard E “Huge spider assumed extinct in Britain discovered on MoD site after quarter of a century” [The Independent](#) 31 October 2020

Dalton J “Game-bird shooting will need licences, ministers announce – days before legal battle” [The Independent](#) 31 October 2020

Makoni A “International legal experts head to Africa to support courts in poaching fight” [The Independent](#) 29 October 2020

- **Climate change and energy**

“Preview: US election marks critical juncture for the future of domestic, international climate policy” [Carbon Pulse](#) 30 October 2020

“Portugal’s EDP sees EU coal power generation plunge 58%” [Carbon Pulse](#) 30 October 2020

Abnett K and Jessop S “EU set to deny gas power plants a green investment label: draft” [Reuters](#) 29 October 2020

“Dutch set to miss 2030 climate goals: government adviser” [Reuters](#) 30 October 2020

Gotev G “How Bulgaria gave Gazprom the keys to the Balkans” [EurActiv](#) 30 October 2020

“EU kicks off process to align carbon market with higher 2030 emissions goal” [Carbon Pulse](#) 29 October 2020

“EU lawmakers demand more global efforts to cut shipping emissions ahead of key meeting” [Carbon Pulse](#) 29 October 2020

“South Korea announces 2050 net zero emissions target” [Carbon Pulse](#) 28 October 2020

Bagshaw E *et al* “Australia defies international pressure to set emissions targets” [Sydney Morning Herald](#) 28 October 2020

“Philippines declares moratorium on new coal power plants” [Climate Home News](#) 28 October 2020

Meza E “EU can reduce 2030 emissions by 60 percent - German environment agency” [Clean Energy Wire](#) 28 October 2020

Meza E “German science ministry ups support for CO₂ conversion in industry” [Clean Energy Wire](#) 28 October 2020

Simon F “Europe urged to align budget with green finance rules” [EurActiv](#) 28 October 2020

“Utah lawsuit funding to challenge California’s climate policies stalls in legislature” [Carbon Pulse](#) 17 October 2020

Rathi A and Gillespie T “Carbon removal could rival the oil and gas sector in scale and revenue” [World Oil](#) 27 October 2020

Fick M “Climate change poses growing threats to vulnerable Africa, UN says” [TimesLive](#) 26 October 2020

Cockburn H “Climate crisis: Scotland announces target to power 8 million homes by offshore wind over next 10 years” [The Independent](#) 29 October 2020

Ambrose J “Russia rules out cutting fossil fuel production in next few decades” [The Guardian](#) 1 November 2020

Ambrose J “Scrap gas pipeline in eastern Med due to climate cost, says report” [The Guardian](#) 30 October 2020

Lauer K “Climate activists disrupt opening of new Berlin airport” [Reuters](#) 31 October 2020

- **Environmental enforcement**

Abnett K “EU takes France to court for second time over air pollution” [Reuters](#) 30 October 2020

- **Local government**

“Sustainable urbanisation the focus this World Cities Day” [Bizcommunity](#) 30 October 2020

- **Mining**

Ndebele L “Zimbabwean mining boss headed for Dubai 'with 6kg gold in her luggage” [Sowetan Live](#) 26 October 2020

“Anglo American CEO says not responsible for lead poisoning in Zambia” [Mining Weekly](#) 30 October 2020

“New coral species discovered on seabed prized for mining potential” [Engineering News](#) 29 October 2020

“Bosnia's mountain minerals offer hope as Adriatic Metals digs in” [Reuters](#) 30 October 2020

- **Water, waste, oceans and chemicals**

Fisher M “Environmental coalition files lawsuit against EPA herbicide approval” [The Jurist](#) 31 October 2020

Cockburn H “More than 200,000 tonnes of plastic leaking into the Mediterranean each year” [The Independent](#) 28 October 2020

Cockburn H “Climate crisis: Plumes of methane stretching ‘hundreds of kilometres’ rising from Arctic seabed” [The Independent](#) 28 October 2020

Amos J “Satellites picture methane across the globe” [BBC](#) 21 October 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

Warburton Attorneys Inc: Candidate attorney 2021

Warburtons Attorneys Inc currently has an opportunity available for an enthusiastic and motivated law graduate with a special interest in Environmental Law to begin articles of clerkship in February 2021.

Preference will be given to historically disadvantaged individuals who have completed their Bachelor of Laws (LLB) and Master of Laws in Environmental Law (LLM) degrees.

For more information visit the [website](#). [Email](#) a detailed CV and letter of motivation.

Varsity College: Lecturer Introduction of Law (Independent Contractor)

More [information](#)

Varsity College: Lecturer: English for Law (Independent Contractor)

More [information](#)

Alas Agisa: Legal Counsel (Construction & Engineering)

More [information](#)

University of the Free State: Unit for Institutional Change and Social

Justice Gender Equality and Anti-discrimination Office Deputy Director

Closing date: 6 November 2020

More [information](#)

Pretoria East: Candidate Attorney

More [information](#)

International

The One Ocean Hub: Deputy Director

This is a unique and incredible opportunity to join an exciting team exploring novel ways to deal with [ocean governance](#)

Vacancy [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.



A Public Benefit Organisation



ELA NEWSLETTER 45

6 November 2020

The next ELA Newsletter will be sent on 20 November 2020

A brief newsletter will be sent on 16/17 November 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere! Actually the numbers of infected persons are alarmingly increasing in some of our provinces, especially in the Eastern Cape.

Keep safe and keep contact via Facebook and the website.

We launch a new website in November and shall keep you updated.

BILLS

Bills Before Parliament (as of 4 November 2020)

Economic Regulation of Transport Bill (B1-2020).

Compensation for Occupational Injuries and Disease Amendment Bill (B21-2020).

Independent Electricity Management Operator Bill (B14-2019).

National Health Insurance Bill (B11 – 2019).

National Health Amendment Bill (B29 – 2018).

National Environmental Management Laws Amendment Bill (B12-2017).

National Forests Amendment Bill (B11-2016).

[IMBEWU October 2020 SHE Legislation Update]

Fundraising Amendment Bill, 2020 [B29-2020]

ACTS

Disaster Management Tax Relief Act 13 of 2020 - GG 43883 of 5 November 2020
- commencement: 5 November 2020

Disaster Management Tax Relief Administration Act 14 of 2020 - GG 43884 of 5 November 2020 – commencement 1 April 2020 unless otherwise indicated

LEGISLATION

DIRECTIONS

Disaster Management Act 57 of 2002 – Directions - BN 131 in GG 43866 of 2 November 2020 - Social Development Directions to prevent and combat the spread of COVID-19 published in GN R430 in GG 43182 of 30 March 2020 amended

NOTICES

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 - GN R1180 in GG 43873 of 6 November 2020 - Notice detailing the classes of stock remedies relating to the Draft Stock Remedy Regulations - for comment

Petroleum Products Act 120 of 1977 - GN R1162 in GG 43868 of 3 November 2020 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R1058 in GG 43774 of 6 October 2020 substituted with effect from 4 November 2020

Petroleum Products Act 120 of 1977 - GN R1163 in GG 43868 of 3 November 2020 - Regulations in respect of petroleum products published in GN R1059 in GG 43774 of 6 October 2020 substituted with effect from 4 November 2020

Petroleum Products Act 120 of 1977 - GN R1164 in GG 43868 of 3 November 2020 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 4 November 2020

National Water Act 36 of 1998 - GN 1179 in GG 43872 of 6 November 2020 - Determination of Classes of Water Resource and Associated Resource Quality Objectives for the Berg Catchment

National Environmental Management: Waste Act 59 of 2008 - GN 1184 in GG 43879 of 5 November 2020 - Extended Producer Responsibility Regulations, 2020

National Environmental Management: Waste Act 59 of 2008 - GN 1185 in GG 43880 of 5 November 2020 - Extended producer responsibility scheme for the electrical and electronic equipment sector

National Environmental Management: Waste Act 59 of 2008 - GN 1186 in GG 43881 of 5 November 2020 - Extended producer responsibility scheme for the lighting sector

National Environmental Management: Waste Act 59 of 2008 - GN 1187 in GG 43882 of 5 November 2020 - Extended producer responsibility scheme for paper, packaging and some single use products

Statistics South Africa – Gen Notice 631 in GG 43872 of 6 November 2020 - Consumer Price Index, Rate (Base Dec 2017 = 100): September 2020: 3.0

Legal Practice Act 28 of 2014 – Gen Notice 626 in GG 43872 of 6 November 2020 - Legal Practice Council: Rules amended

PROVINCES

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 85 in PG 2236 of 5 November 2020 - uMdoni Local Municipality - Advertising By-laws

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 85 in PG 2236 of 5 November 2020 - uMdoni Local Municipality - Draft Business Licensing By-law

North West

Spatial Planning and Land Use Management Act 16 of 2013: Rustenburg Local Municipality: Notice for the establishment and commencement of the Municipal Planning Tribunal (MPT) published (Proc 20 in PG 8159 of 3 November 2020)

Northern 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 – Gen Notice 110 in PG 2377 of 2 November 2020 - Ga-Segonyana Local Municipality - Approval of the revised and updated Spatial Development Framework (SDF)

Gauteng

Gauteng Township Economic Development Bill, 2020 - PN 544 in PG 209 of 3 November 2020 - Extension of date for the submission of written comments or representations

CASES

International

[Chernaik v. Brown](#), No. S066564 (Or. Oct. 22, 2020)

The Supreme Court of Oregon rejected youth plaintiffs' arguments that the public trust doctrine should be expanded to encompass additional natural resources and that the doctrine imposes affirmative fiduciary obligations on the State to protect trust resources from substantial impairment caused by climate change. With respect to the scope of the doctrine, the Supreme Court said the public trust doctrine extends both to the State navigable

waters and to the State's submerged and submersible lands. (A trial court had interpreted the scope more narrowly.) Although the court agreed with the plaintiffs that the doctrine "can be modified to reflect changes in society's needs," the court rejected the plaintiffs' "expansive test" for determining which resources should be protected, finding that the plaintiffs' two-factor test—(1) Is the resource not easily held or improved and (2) Is the resource of great value to the public for uses such as commerce, navigation, hunting, and fishing—would fail to provide "practical limitations." The court therefore declined to expand the doctrine to cover additional resources, including the atmosphere. Regarding the State's obligations under the public trust doctrine, the court rejected the plaintiffs' contention that the doctrine imposes obligations like the obligations trustees of private trusts owe to beneficiaries. The court indicated that importing private trust principles "could result in a fundamental restructuring of the public trust doctrine and impose new obligations on the State." The chief justice dissented, writing that in her view the judicial branch has "a role to play" in addressing the harms of climate change. She said the court "can and should issue a declaration that the state has an affirmative fiduciary duty to act reasonably to prevent substantial impairment of public trust resources."

[High Country Conservation Advocates v. U.S. Forest Service](#), No. 20-1358 (10th Cir. Oct. 29, 2020)

The Tenth Circuit Court of Appeals granted environmental groups' emergency motion for an injunction barring a coal company "from imminently bulldozing additional drilling pads" and "drilling methane ventilation boreholes in preparation for coal mining in the Sunset Roadless Area" in Colorado. The Tenth Circuit ordered the injunction to remain in place pending consideration of the environmental groups' appeal of a district court order that declined to vacate mining lease modifications that authorized road construction in the Sunset Roadless Area. Although the Tenth Circuit vacated an exception to the Colorado Roadless Rule in March 2020, the district court concluded that it could not enjoin the coal companies' activities because all challenges to the mining lease modifications had been resolved in the federal defendants' favor.

La Rose v. Her Majesty the Queen (Canadian Federal Court)

On October 27, 2020, a Federal Court judge dismissed the lawsuit by Canadian youth against the Canadian government on a pretrial motion to strike for failing to state a reasonable cause of action. The plaintiffs plan to appeal.

Fifteen children and youths brought suit against the Queen and Attorney General of Canada in October 2019, 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 Canadian Charter of Rights and Freedom, as well as the rights of present and future Canadian children under the public trust doctrine. They seek declaratory relief and an order requiring the government to adopt a Climate Recovery Plan.

In dismissing the case, the judge ruled that the plaintiffs' claims that Canada's conduct violated their rights under the Charter of Rights and Freedoms are not justiciable and state no reasonable cause of action.

According to the judge, the claims are not justiciable because they allege “an overly broad and unquantifiable number of actions and inactions on the part of the Defendants.” Similarly, these claims do not state a reasonable cause of action because they point to broad and diffused conduct by the government and do not identify a particular law that burdens youth.

The judge found that the plaintiffs’ claims that the government’s conduct violated the public trust doctrine was justiciable, but similarly found that it stated no reasonable cause of action because the claim was extensive, had no definable limits, and was not consistent with incremental evolutions in the law.

Norway's Supreme Court has agreed to hear an important climate change case involving Art. 112 of its Constitution and Arctic oil exploration in Norway's Barents Sea. As reported in [this piece from Arctic Today](#) : "The case focuses on Article 112 of the [Norwegian Constitution](#), which focuses on sustainability and protection of the environment. In 2014, the article was updated to introduce a duty of care on the government to provide a liveable environment for current and future generations." The article provides a concise history of lower court proceedings, with links to decisions and other key sources. Read more [here](#)

PUBLICATIONS

International

Mormann, F. Why the divestment movement is missing the mark. [Nat. Clim. Chang.](#) (2020). <https://doi.org/10.1038/s41558-020-00950-2>

Jackson J and Hodges K “How air pollution may influence the course of pandemics” 2020 6(45) [Science Advances](#) DOI: 10.1126/sciadv.abf1897

Xu X “Air pollution and COVID-19 mortality in the United States: Strengths and limitations of an ecological regression analysis” 6(45) 2020 [Science Advances](#) DOI: 10.1126/sciadv.abd4049

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Daily Maverick](#): Shapiro TT “This weekend we’re watching: ‘Tiny World’” 6 November 2020

[Daily Maverick](#): Smillie S “Ancient dassie dung holds secrets on tackling climate crisis” 4 November 2020

- **Climate change and energy**

[Daily Maverick](#): Yelland C “Covid-19 divides and weakens the nuclear sector in South Africa” 5 November 2020

[Daily Maverick](#): Calitz A “It’s time to deliver on the roadmap for Eskom and the Integrated Resource Plan” 4 November 2020

- **Local government**

[GroundUp](#): Broughton T “Must government provide flush toilets to informal settlements? A court case may answer this” 6 November 2020

[GroundUp](#): Chiguvare B “RDP houses built 20 years ago still have no water” 4 November 2020

[Daily Maverick](#): Shoba S “A ‘gift’ of an eco-friendly bridge over the Liesbeek River causes a rift” 3 November 2020

- **Mining**

[Mail & Guardian](#): “Putting gender firmly on the agenda: The importance of diversity in mining” 6 November 2020

- **Water, oceans, waste and chemicals**

[Bizcommunity](#): Jhetam S “EPR - What does it mean for waste in South Africa?” 6 November 2020

- **Miscellaneous**

[Daily Maverick](#): Mahlaka R “BEE requirements on state tenders are in for a major shake-up in wake of court judgment” 3 November 2020

Africa

- **Biodiversity, protected areas and culture**

[allAfrica](#): Qorro E “Tanzania: Ten Mara River Species in Danger, Warns Report” 3 November 2020

[allAfrica](#): “Africa: New Report Explores the Impact of Sand and Dust Storms” 6 November 2020

[BBC](#): Langat A “The traditions that could save a nation’s forests” 4 November 2020

- **Climate change and energy**

[allAfrica](#): “Africa: OECD Report Confirms Far Too Much Climate Finance Given As Loans That Force Poorer Nations Into Debt” 6 November 2020

[Bizcommunity](#): Hoffmann R “Climate change, migration and urbanisation: patterns in Sub-Saharan Africa” 4 November 2020

[Bizcommunity](#): Ayuk NJ “Energy resources can spark Africa's economic growth” 4 November 2020

- **Water, oceans, waste and chemicals**

[allAfrica](#): Tarhule A and Hasan E “Africa: Satellite Data Provides Fresh Insights Into the Amount of Water in the Nile Basin” 4 November 2020

[The Guardian](#): Carrubba A “Rotten river: life on one of the world’s most polluted waterways – photo essay” 2 November 2020

- **Miscellaneous**

[allAfrica](#): “Africa: UN Food Agencies Warn of Rising Levels of Acute Hunger with Potential Risk of Famine in Four Hotspots” 6 November 2020

[allAfrica](#): “Eca Holds Meeting On Studies Into the Development Agendas in Africa's Sub-Regions” 3 November 2020

[Bizcommunity](#): Raman J and Oliver S “As the malaria season begins in southern Africa, Covid-19 complicates the picture” 6 November 2020

International

- **Biodiversity, animal rights, national parks and culture**

[National Geographic](#): Main D “The U.S. border wall is tearing through wilderness, right under our noses” 2 November 2020

- **Climate change and energy**

[Lexology](#): “‘The role of international law in addressing climate change: where next?’ - 2020 Freshfields Annual Public International Law Seminar” 30 October 2020

[IISD](#) SDG Knowledge Hub: “Japan, Republic of Korea Pledge to Go Carbon-neutral by 2050” 2 November 2020

[IISD](#) SDG Knowledge Hub: “Investors Aligning Portfolio Decarbonization Targets with 1.5°C Scenario” 2 November 2020

[Lexology](#): “EU Taxonomy - How to put the Green in Green Finance?” 3 November 2020

[Lexology](#): “McVeigh v Rest - a new standard for managing climate change risks” 4 November 2020

[Lexology](#): “Trends in climate litigation - continued focus on disclosure, portfolio analysis, and role of individual activities in broader climate impacts” 5 November 2020

[Green Law](#): Caldwell I “The Role of Density in Combatting Climate Change and COVID-19” 4 November 2020

- **Environmental enforcement**

[Lexology](#): “The importance of drafting strong and enforceable indemnities when seeking to limit a party’s potential liability for environmental risks” 2 November 2020

[Lexology](#): “EPA’s New Guidance Rule: Are Accessibility and Transparency Improved?” 4 November 2020

- **Mining**

[Lexology](#): “Greenpeace’s petition for judicial review of consent to an offshore field development refused” 2 November 2020

- **Water, oceans, waste and chemicals**

[Smithsonian Magazine](#): Gershon L “Researchers Uncover 2,000-Year-Old Maya Water Filtration System” 2 November 2020

[IISD](#) SDG Knowledge Hub: “Clean Water and Sanitation: Charting a Course to a Healthy Population on a Healthy Planet” 4 November 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: “The Risk of Losing the 2030 Agenda in Brazil” 2 November 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa Online Webinar: Significance of Significance

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[The invitation is available here.](#)

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Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

UP Enterprises: Online Environmental Law Course

Date: 16 November 2020

More [information](#)

ASSAF Neonicotinoid Insecticides: Use and Effects in African Agriculture A Review and Recommendations to Policymakers

Date: 18 November 2020

Time: 10:00-12:00

[Registration](#)

International

CBSS Training Courses in Water Governance scheduled for 2021

- [9 – 11 February 2021, in Pretoria](#)

Registration closes 19 January 2021

Early Bird payment discount applicable until 29 December 2020

Refresher: 11 February 2021

Only EIGHT (8) seats still available

- [9 - 11 March 2021, near Stellenbosch](#)

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Other venues can be arranged, depending on sufficient numbers – contact [Carin](#) for more details

Discounts are available for Early Bird payments, bona fide students, WISA-members, and group registrations.

Register [here](#).

INECE The Role of Community and Citizen Science in Environmental Compliance and Enforcement

Our first three sessions explored general topics in citizen science, as well as current and potential uses of citizen science for water and air monitoring and enforcement. Recordings and presentations from these first sessions can be accessed on our [program page](#) as they become available.

Our next session, [Environmental Monitoring in Indigenous Communities](#), will take place this **Monday, November 9th at 10 am ET**. We will be joined by [Tom Bewick](#), [Ruth Noguérón](#), and [Ellen Pfeiffer](#) to discuss different models that Indigenous communities are using to improve environmental monitoring and enforcement around the world. [Please register here to join us for this exciting session.](#)

NEWS

National

- **Biodiversity, protected areas, culture and animal rights**

Spear D “Overberg farmers open hearts to conservation of renosterveld” [Daily Maverick](#) 6 November 2020

- **Climate change and energy**

Arnoldi M “Just transition away from coal lies in diversified municipal economies, says TIPS” [Mining Weekly](#) 6 November 2020

“Renewable energy shift threatens 120,000 SA jobs” [IOL](#) 4 November 2020

Liedtke S “Battery metals beneficiation holds ‘enormous potential’ for South Africa” [Mining Weekly](#) 6 November 2020

Bulbulia T “Hydrogen economy presents considerable opportunities for South Africa, but social compact imperative” [Mining Weekly](#) 6 November 2020

Creamer T “Eskom says it needs R23bn more from tariffs in 2021 to remain a going concern” [Mining Weekly](#) 5 November 2020

- **Environmental enforcement**

Kretzmann S and Joseph R “Green Scorpions order City of Cape Town to sort out pollution in the Milnerton Lagoon” [GroundUp](#) 4 November 2020

- **Local government**

Ngubane N “Families live in shacks on a railway line after housing project abandoned” [GroundUp](#) 4 November 2020

Lali V “Hundreds march for water, electricity and toilets in Khayelitsha” [GroundUp](#) 2 November 2020

- **Mining**

Stoddard E “Amplats to take earnings and production hits as water leaks force plant closure” [Daily Maverick](#) 6 November 2020

Stoddard E “Proposed chrome export tax: Report highlights the risks and pitfalls” [Daily Maverick](#) 5 November 2020

Chelin R and Els W “Explosives smuggling: South Africa’s ticking time bomb” [Daily Maverick](#) 5 November 2020

“Case against Tendele Coal in the Supreme Court of Appeal tomorrow” [CER](#) 2 November 2020

- **Water, oceans, waste and chemicals**

Smit S “Farm dwellers fight to access water and other basic services” [Mail & Guardian](#) 6 November 2020

Merten M “Draft laws back up in crammed calendar dominated by must-dos, leaving key legislation dangling” [Daily Maverick](#) 5 November 2020

Nijhuis C “Hydropower plants help remove plastic waste from water bodies – study” [Clean Energy Wire](#) 6 November 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Williams K “Colorado votes to reintroduce gray wolves” [The Jurist](#) 6 November 2020

Makoni A “Wildlife crime convictions climb in Kenya — but poaching kingpins evade justice” [The Independent](#) 5 November 2020

Dalton J “Coronavirus: WHO experts study risk of mink fur farms worldwide spreading virus to humans after Denmark mutation” [The Independent](#) 6 November 2020

Dalton J “Wildlife crime underworld rampant, with shockingly low conviction rates, warns report” [The Independent](#) 6 November 2020

Philips D “Green groups denounce Brazil's 'sham' Amazon tour for foreign diplomats” [The Guardian](#) 7 November 2020

Jessup S “Development bank loan books risk hit from nature loss – report” [Reuters](#) 6 November 2020

“Get Africa’s Great Green Wall back on track” [Nature](#) 4 November 2020

- **Climate change and energy**

“US exits Paris climate agreement” [DW](#) 4 November 2020

“Climate change will give rise to more cancers, study finds” [IOL](#) 7 November 2020

Dunne D “Melting of Antarctica’s Larsen C Ice Shelf at 40-year record high, study says” [The Independent](#) 6 November 2020

Slezak M “Rest super fund commits to net-zero emission investments after Brisbane man sues” *abc News* 2 November 2020

Cockburn H “Huge iceberg ‘the size of Norfolk’ on collision course with British overseas territory of South Georgia” [The Independent](#) 5 November 2020

Morton A “Victoria plans 300MW Tesla battery to help stabilise grid as renewables increase” [The Gaurdian](#) 5 November 2020

Parker D “Proximity alone insufficient to assure SA firms any share of Moz gas action” [Engineering News](#) 6 November 2020

“Germany examines ammonia to deliver green fuel for industry” [Engineering News](#) 4 November 2020

Abnett K “EU eyes huge increase in offshore wind energy to meet climate goals: draft” [Reuters](#) 6 November 2020

Abnett K “Wealthy countries edge towards global climate finance goal” [Reuters](#) 6 November 2020

- **Local government**

Harrabin R “UK energy plant to use liquid air” [BBC](#) 7 November 2020

- **Mining**

Cockburn H “Climate crisis: Lancashire fracking site ‘leaked emissions equivalent to 142 transatlantic flights’” [The Independent](#) 5 November 2020

“Debswana to close diamond mine on weak demand - union leader” [Mining Weekly](#) 6 November 2020

“Tanzania finalising permit for its first rare-earth metals mine” [Mining Weekly](#) 5 November 2020

- **Water, waste, oceans and chemicals**

Chapman B “Raw sewage dumped near English and Welsh beaches 3,000 times in one year, report finds” [The Independent](#) 7 November 2020

Laville S “Face masks and gloves found on 30% of UK beaches in clean-up” [The Guardian](#) 6 November 2020

Bulbulia T “UFS, CBSS partner to design groundwater monitoring network for Central Karoo” [Engineering News](#) 5 November 2020

- **Miscellaneous**

Mallapaty S “China set to retrieve first Moon rocks in 40 years” [Nature](#) 5 November 2020

Watts J “Treat artificial light like other forms of pollution, say scientists” [The Guardian](#) 2 November 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

Warburton Attorneys Inc: Candidate attorney 2021

Warburtons Attorneys Inc currently has an opportunity available for an enthusiastic and motivated law graduate with a special interest in Environmental Law to begin articles of clerkship in February 2021.

Preference will be given to historically disadvantaged individuals who have completed their Bachelor of Laws (LLB) and Master of Laws in Environmental Law (LLM) degrees.

For more information visit the [website](#). [Email](#) a detailed CV and letter of motivation.

MultiChoice Group Graduate Trainee

More [information](#)

International

IRENA Vacancy - APO Innovation RE and Decarbonisation Associate Programme Officer – Innovation, Standards and Patents

Link to apply [here](#)

Duty station: Bonn

Application deadline: 22 November 2020

About the Lights on Women Energy Expert List

The [Lights on Women Energy Expert List](#) will serve as a tool to foster gender diversity and inclusion in the Florence School of Regulation’s activities and aims to inspire the wider energy sector to do the same.

The [Energy Expert List](#) will not only enable our network to increase the opportunities it extends to women in energy, but it will also help us to address the information imbalance about the range of occupations, specializations and fields within the energy sector, which draws upon expertise and skills from diverse backgrounds.

About Lights on Women

In 2017, the [Florence School of Regulation \(FSR\)](#) launched the Lights on Women initiative to further enhance economically and socially inclusive energy policy and regulation. Lights on Women shapes an inclusive energy sector by promoting, training and advocating for women in energy, climate and sustainability. The Initiative shines a light on the expertise of women in these sectors and aims to create and share opportunities that boost their visibility, representation and careers. Learn more [here](#)

Help us spread the word

You can tag the FSR on [Twitter](#) (@FSR_Energy) or on [LinkedIn](#): [Florence School of Regulation - FSR Energy](#) if you spread the word!
Hashtags: #lightsonwomen #FSREnergyExpertList

Emory University School of Law: John Lewis Chair for Civil Rights and Social Justice for the 2021-2022 academic year

Candidates should have a distinguished publication record in the fields of civil rights or social justice; a distinguished record of legal or policy contributions in these fields; or both.

You can [learn more about the position here](#)

[Research Associate in Law and Economics](#)

University of Hamburg Faculty of Law, Institute of Law and Economics

[Academic Fellow in Law](#)

University of Hong Kong Department of Law

[Postdoctoral Fellow in Technology Law](#)

University of Hong Kong Department of Law

[Faculty Position in Law](#)

Singapore Management University School of Law

[Adjunct Faculty in Legal and Commercial Principles in Project Financing Transactions](#)

Singapore Management University School of Law

[Adjunct Teaching Mentor in International Moots](#)

Singapore Management University School of Law

[Research Fellow in Cities and Innovation](#)

Singapore University of Technology and Design Lee Kuan Yew Centre for Innovative Cities

[Postdoctoral Position in Peace and Conflict](#)

Uppsala University Department of Peace and Conflict Research

[Faculty Position in Climate Change and Sustainable Development](#)

National Taiwan University

[Research Associate in Environmental Policy](#)

Imperial College London Centre for Environmental Policy

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.



A Public Benefit Organisation



ELA NEWSLETTER 46

13 November 2020

The next ELA Newsletter will be sent on 20 November 2020

Interim Newsletter

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere! Actually the numbers of infected persons are alarmingly increasing in some of our provinces, especially in the Eastern Cape.

Keep safe and keep contact via Facebook and the website.

We launch a new website in November and shall keep you updated.

LEGISLATION

DIRECTIONS

Disaster Management Act 57 of 2002 - GN 1197 in GG 43894 of 10 November 2020 - Directions for Alert Level 1, to address, prevent and combat the spread of COVID-19 in all correctional centres and remand detention facilities in the Republic of South Africa

NOTICES

Disaster Management Act 57 of 2002 - GN 1199 in GG 43897 of 11 November 2020 - Regulations issued in terms of s. 27 (2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended with effect from 12 November 2020

South African National Parks (SANParks) – Gen Notice 655 in GG 43900 of 13 November 2020 - Notification of PPP Investment Opportunities: Astronomy and Spa Products in the Kruger National Park

Plant Breeders' Rights Act 15 of 1976 - GN 1206 in GG 43900 of 13 November 2020 - Receipt of applications for plant breeders' rights

Plant Improvement Act 53 of 1976 - GN 1210 in GG 43900 of 13 November 2020 - Regulations relating to application of the Act amended

Plant Improvement Act 53 of 1976 - GN 1210 in GG 43900 of 13 November 2020 - Regulations relating to establishments, varieties, plants and propagating material amended

Agricultural Produce Agents Act 12 of 1992 - BN 135 in GG 43900 of 13 November 2020 - Biosecurity Rules for Livestock Agents

Occupational Health and Safety Act 85 of 1993 - GN R1196 in GG 43893 of 10 November 2020 - Asbestos Abatement Regulations, 2020 published and GN R155 in GG 23108 of 10 February 2002 repealed, with effect from 10 November 2020 (except regs 3 and 20: 18 months after promulgation)

National Water Act 36 of 1998 - GN 1220 in GG 43900 of 13 November 2020 - Mzimvubu-Tsitsikamma Water Management Area (WMA7): Limiting the use of water in terms of item 6 of Schedule 3 of the Act for urban, agricultural and industrial (including mining) purposes

National Environmental Management Act 107 of 1998 - GN 1224 in [GG](#) 43904 of 13 November 2020 - Proposed amendments to the Environmental Impact Assessment Regulations, 2014 and Listing Notices 1, 2 and 3 - for comment

Promotion of Access to Information Act 2 of 2000 – Gen Notices 640-654 in GG 43900 of 13 November 2020 - Descriptions submitted in terms of s. 15 (1) by the:

- Free State Provincial Government: Department of Human Settlements
- Free State Provincial Government: Department of Economic and Small Business Development, Tourism and Environmental Affairs
- Department of Trade, Industry and Competition
- Free State Provincial Government: Department of Co-operative Governance and Traditional Affairs
- Free State Provincial Government: Department of Health
- Free State Provincial Government: Office of the Premier

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Mossel Bay Local Municipality - LAN 20564 in PG 8348 of 6 November - Filming By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20596 in PG 8351 of 13 November 2020 - Witzenberg Local Municipality - Zoning Scheme By-law

North West

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, 2017 - LANs 127 & 128 in PG 8162 of 10 November 2020 - Tswaing and

Gauteng

Gauteng Rationalisation of Local Government Affairs Act 10 of 1998, Local Government: Municipal Systems Act 32 of 2000 and National Environmental Management: Air Quality Act 39 of 2004 - LAN 1316 in PG 214 of 6 November 2020 - City of Johannesburg Metropolitan Municipality - draft Air Pollution Control By-laws and Air Quality Management Plan – for comment

Gauteng Rationalisation of Local Government Affairs Act 10 of 1998 and Local Government: Municipal Systems Act 32 of 2000 - LANs 1317 & 1318 in PG 214 of 6 November 2020 - City of Johannesburg Metropolitan Municipality - draft Waste Management By-laws and Water Services By-laws – for comment

Gauteng Rationalisation of Local Government Affairs Act 10 of 1998 and Local Government: Municipal Systems Act 32 of 2000 - LAN 1319 in PG 214 of 6 November 2020 - City of Johannesburg Metropolitan Municipality - amendment to the Electricity By-laws – for comment

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

International

- **Biodiversity, animal rights, national parks and culture**

[IISD](#) ENB: “56th Session of the International Tropical Timber Council and Associated Sessions of the Committees (ITTC-56)” 9-13 November 2020 | Online

- **Climate change and energy**

Net Zero [Podcast](#): Leonardo Meeus, Professor at Florence School of Regulation and Vlerick Business School, and Georg Zachmann, Senior Fellow at Bruegel, share their thoughts on how legislation and policy are enabling the energy transition in Europe.

- **Local government**

[IISD](#) ENB: “United Cities and Local Governments (UCLG) World Council 2020 - The Role of the International Municipal and Regional Movement in COVID Times” 12-13 November 2020 | Online

- **Water, oceans, waste and chemicals**

[IISD](#) ENB: “4th Meeting of the *Ad-hoc* Open-ended Expert Group on Marine Litter and Microplastics (AHEG-4)” 9-13 November 2020 | Online

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International

Columbia Law School: Sabin Colloquium on Innovative Environmental Law Scholarship

Date: May 20-21, 2021 (via Zoom)

This 9th 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 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 afternoons of May 20 and 21) and to read and comment on each others' proposals. The Colloquium will be conducted virtually via Zoom.

NEWS

National

- **Biodiversity, protected areas, culture and animal rights**

Pinnock D "The sad story of a one-limbed monkey and the battle to hold vets accountable" [Daily Maverick](#) 14 November 2020

- **Climate change and energy**

Bega S "Fossil fuel support lands SA in the G20 dog box" [Mail & Guardian](#) 14 November 2020

- **Environmental enforcement**

Bega S "Barbara Creecy: 'You can make a difference if you want to'" [Mail & Guardian](#) 6 November 2020

- **Local government**

Stent J "Appeal of Tafelberg judgment delayed" [GroundUp](#) 13 November 2020

Sizani M "Neighbours in standoff over illegal electrical connections" [GroundUp](#) 13 November 2020

Sizani M “Community demand answers over incomplete water pipeline” [GroundUp](#) 12 November 2020

Malatju T “Shack or rondavel? Traditional building methods hold the key to accessible housing” [Daily Maverick](#) 15 November 2020

Mtethwa A “Ace Magashule appears in court while Free State residents deny knowing of any project to replace asbestos roofs” [Daily Maverick](#) 13 November 2020

- **Mining**

Yeld J “Court challenge to West Coast beach mining” [GroundUp](#) 12 November 2020

Stoddard E “Gold mining payout: Fraudsters trying to bilk silicosis claimants, warns Tshiamiso Trust” [Daily Maverick](#) 12 November 2020

- **Water, oceans, waste and chemicals**

Dyongman L “Raw sewage flowing into Makhanda Dam” [GroundUp](#) 11 November

International

- **Biodiversity, protected areas, animal rights and culture**

Murray-Ragg N and Wellington VU “California court rules insects not protected by Endangered Species Act” [The Jurist](#) 14 November 2020

- **Mining**

Rizvi A “West Africa court finds Guinea responsible for 2012 attack at mining village” [The Jurist](#) 13 November 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

Warburton Attorneys Inc: Candidate attorney 2021

Warburtons Attorneys Inc currently has an opportunity available for an enthusiastic and motivated law graduate with a special interest in Environmental Law to begin articles of clerkship in February 2021.

Preference will be given to historically disadvantaged individuals who have completed their Bachelor of Laws (LLB) and Master of Laws in Environmental Law (LLM) degrees.

For more information visit the [website](#). [Email](#) a detailed CV and letter of motivation.

University of Johannesburg: Attorney (5/8 position)

Closing date: 27 November 2020

More [information](#)

University of Johannesburg: Director Legal Services

Closing date: 27 November 2020

More [information](#)

Sol Plaatjie University: Officer: Legal Services

Closing date: 27 November 2020

More [information](#)

University of the Western Cape: Professor Public Law

Closing date: 26 November 2020

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.



A Public Benefit Organisation



ELA NEWSLETTER 47

20 November 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere! Actually the numbers of infected persons are alarmingly increasing in some of our provinces, especially in the Eastern Cape.

Keep safe and keep contact via Facebook and the website.

We launch a new website in November and shall keep you updated.

LEGISLATION

NOTICES

Disaster Management Act 57 of 2002 - - GN 1225 in GG 43905 of 14 November 2020 - Declaration of a national state of disaster published in GN 313 in GG 43096 of 15 March 2020 extended to 15 December 2020

Societies for the Prevention of Cruelty to Animals Act 169 of 1993 - BN 137 in GG 43913 of 20 November 2020 - National Council of Societies for the Prevention of Cruelty to Animals: Rules amended

National Road Traffic Act 93 of 1996 - GN 1237 in GG 43913 of 20 November 2020 - Draft Minimum Service Delivery Standard - for comment

International Trade Administration Act 71 of 2002 – Gen Notice 663 in GG 43913 of 20 November 2020 - International Trade Administration Commission of South Africa (ITAC): Proposed amendments to the Amended Export Control Guidelines on the Exportation of Ferrous and Non-Ferrous Waste and Scrap published in GenN 532 in GG 43765 of 2 October 2020 - for comment

National Minimum Wage Act 9 of 2018 - GN R1243 in GG 43920 of 20 November 2020 - Report of the National Minimum Wage Commission on the review and adjustment of the national minimum wage for 2021 - for comment

PROVINCES

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 - PN 138 in *PG* 2238 of 19 November 2020 - Ubuhlebezwe Local Municipality - Municipal Planning Tribunal (MPT) and appointment of members

Spatial Planning and Land Use Management Act 16 of 2013 - MN 90 in *PG* 2238 of 19 November 2020 - Mandeni, Maphumulo and Ndwedwe Local Municipalities - Joint Municipal Planning Tribunal (JMPT) and appointment of members

Free State

Disaster Management Act 57 of 2002 - PN 44 in *PG* 75 of 13 November 2020 - Declaration of a provincial state of disaster as a result of runaway veld fires

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20598 in *PG* 8353 of 13 November 2020 - Swellendam Local Municipality - By-law on Municipal Land Use Planning, 2020

Western Cape Land Use Planning Act 3 of 2014 - PN 123 in *PG* 8354 of 16 November 2020 - Department of Environmental Affairs and Development Planning - Authorisation to deviate from provisions of s. 44 (2) (b) of the Act

CASES

National

Central Energy Fund SOC Ltd and Another v Venus Rays Trade (Pty) Ltd and Others (4305/18) [2020] ZAWCHC 164 (20 November 2020)

“[1] This case is about the sale, in late 2015/early 2016, of South Africa’s strategic stock of 10 million barrels of crude oil for about \$281 million. The seller was the second applicant (‘SFF’), which is a wholly-owned subsidiary of the first applicant (‘CEF’). They are public entities listed in Schedule 2 of the Public Finance Management Act 1 of 1999 (‘PFMA’). They seek the review and setting aside of the decisions to sell the oil and of the ensuing transactions.”

International

McKiver and Others v Murphy Brown [Case No 19-1019](#) United States Court of Appeals for the Fourth Circuit delivered 19 November 2020

“Murphy-Brown, LLC (‘Appellant’) challenges a jury verdict against it awarding compensatory and punitive damages to neighbors of its hog production facilities. Those neighbors, residents of rural Bladen County, North Carolina, sought relief under state nuisance law from odors, pests, and noises they attribute to farming practices Appellant implemented at an industrial-scale hog feeding farm. Having heard evidence of those harms and Appellant’s role in creating them, a jury returned a verdict in favor of the neighbors, to the tune of \$75,000 in compensatory damages per

plaintiff, along with a total of \$5 million in punitive damages, which was subsequently reduced to \$2.5 million due to North Carolina's punitive damages cap."

PUBLICATIONS

National

Mhlongo L "A critical analysis of South Africa's system of government: from a disjunctive system to a synergistic system of government" 2020 41 [Obiter](#) 257ff

Witbooi E *et al* "Organized crime in the fisheries sector threatens a sustainable ocean economy" 2020 [Nature](#) <https://doi.org/10.1038/s41586-020-2913-5>

International

Daly Erin and May James *Dignity Law: Global Recognition, Cases and Perspectives* (Hein 2020) - the brochure is [here](#)

Bleasdale L & Francis A "Great expectations: Millennial lawyers and the structures of contemporary legal practice" 2020 40(3) *Legal Studies* 376-396 doi:10.1017/lst.2020.6

Janeček V (2020) "Public interest damages" 2020 *Legal Studies* 1-20 doi:10.1017/lst.2020.2

Oshionebo E *Mineral Mining in Africa Legal and Fiscal Regimes* ([Routledge](#) November 2020)

Stein AL "Energy Emergencies" 2020 115 [Nw. U. L. Rev.](#) 799

Geddes A *et al* "Doubling Back and Doubling Down: G20 scorecard on fossil fuel funding" (IISD [Report](#) November 2020) [Legalbrief Environmental 17 November 2020]

Pascale S *et al* "Increasing risk of another Cape Town "Day Zero" drought in the 21st century" 2020 *PNAS* <https://doi.org/10.1073/pnas.2009144117> [Legalbrief Environmental 17 November 2020]

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Daily Maverick](#): Bonthuys J "Struggling small-scale fishers are thrown a lifeline by pilot project" 9 November 2020 [Legalbrief Environmental 17 November 2020]

- **Climate change and energy**

[CER](#): "More tough questions for climate rogue Sasol at its AGM on Friday" 20 November 2020

[CER](#): "Landmark "Deadly Air" pollution case against government to be heard in May 2021" 16 November 2020

[Lexology](#): Fontana L and Dladla Y “In review: renewable energy policy and regulation in South Africa” 27 August 2020

[Business Day](#): “Editorial: Is Sasol’s climate about-turn capitulation or procrastination?” 13 November 2020 [Legalbrief Environmental 17 November 2020]

[BizCommunity](#): Niven G and Novotny P-A “Proposed process to manage carbon budgets” 3 November 2020 [Legalbrief Environmental 17 November 2020]

[The Conversation](#): Rabele A *et al* “Cape Town’s climate strategy isn’t perfect, but every African city should have one” 10 November 2020 [Legalbrief Environmental 17 November 2020]

[Daily Maverick](#): McDaid L “Connecting the dots: Red lights are flashing over what appears to be nuclear-by-stealth” 19 November 2020

- **Local government**

[Daily Maverick](#): Carnie T “Day Zero or Day Sulphur – new Cape Town study re-opens controversy on human manipulation of the world’s climate” 18 November 2020

- **Mining**

[Daily Maverick](#): Weber A “Hit-and-run miners run roughshod over environmental laws in Mpumalanga” 19 November 2020

[Daily Maverick](#): Stoddard E “Petmin defends its resettlement plan for controversial Somkhele mine” 19 November 2020

- **Water, oceans, waste and chemicals**

[The Citizen](#): Morris E “Umbilo River oil spill report reveals dire water quality” 10 November 2020 [Legalbrief Environmental 17 November 2020]

Africa

- **Biodiversity, protected areas and culture**

[allAfrica](#): Otiene S “Kenya: Iconic Nairobi Fig Tree Gets Reprieve” 11 November 2020

[allAfrica](#): Bii B and Kimuge S “Kenya: Kitale Conservationist Takes a Different Path, and It’s Paying Off” 19 November 2020

[The Independent](#): Ledger E “The Independent unites leading conservationists in landmark declaration at G20” 22 November 2020

[The Independent](#): Ledger E “Leading conservationists unite in unique summit, ahead of G20, to step up the fight to protect wildlife” 20 November 2020

- **Climate change and energy**

[BusinessLive](#): “News Analysis: Africa shrugs off push for net-zero emissions to focus on growth” 19 November 2020

[IOL](#): Faku D “Africa’s ‘big five’ face 19% fall in oil production as demand slows” 12 November 2020

[allAfrica](#): Goering L “Africa: Angry at Sluggish Climate Action, Young Negotiators ‘Scream’ for Change” 19 November 2020

[Reuters](#): “G20 determined to support African countries and tackle climate change” 22 November 2020

- **Mining**

[Extractives Baraza](#): “UNBS, Petroleum Authority Cooperate on Oil and Gas Standards” 16 November 2020

[Extractives Baraza](#): “China is Rapidly Expanding Its Oil Resources in Africa” 16 November 2020

[Extractives Baraza](#): “Petra Diamonds Investigates Charges Tanzanian Subsistence Miners Abused” 16 November 2020

[Fin24](#): Njini F and Marawanyika G “Zimbabwe under investor pressure to end gold sales monopoly” 12 November 2020

- **Water, oceans, waste and chemicals**

[Centre](#) for Investigative Journalism: Lescij L “‘Scared’ Villagers Demand Safety Audit For Letšeng Dams” 18 November 2020

[allAfrica](#): Buckley C, Senecal J and Simha P “Africa: We Developed a Simple Process to Recycle Urine. Here's How It's Done” 18 November 2020

[allAfrica](#): Oketch A “Kenya: Toxic Tomatoes Now On Your Plate” 11 November 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Science](#): Cantwall M “Fires can kindle biodiversity, sparking new approaches to conservation” 19 November 2020

[Science](#): Goldfarb B “Wolf attacks on beavers are altering the very landscape of a national park” 13 Nov 2020

[Lexology](#): “Public Lands Management in the Biden Era” 16 November 2020

Thomas Reuters [Foundation](#): Chandran R “Aboriginal names get pride of place in Australian addresses” 12 November 2020

[EurActiv](#): Duboua-Lorsch L “The EU’s imported deforestation problem – a closer look” 17 November 2020

[Lexology](#): “Sami village defeats state in historic case concerning land use rights” [Sweden] 16 November 2020

- **Climate change and energy**

[Lexology](#): “Contracting for the climate: the Climate Contract Playbook is a trove of climate clauses for agreements in every sector” 5 November 2020

[Lexology](#): “Still Up in the Air: The Future of Methane Regulations on Public Lands” 13 October 2020

[Lexology](#): “Green Bonds and Green Loans - Implementing the EU Green Bond Standard, Green Loan Principles and Sustainability Linked Loan Principles” 5 November 2020

[Lexology](#): “Landmark Settlement of Lawsuit Against Australian Superannuation Fund Over Climate Change Risks” 5 November 2020

[IISD](#) ENB: Luomi M “The Global Governance of Sustainable Energy: Access and Sustainable Transitions - Still Only One Earth: Lessons from 50 years of UN sustainable development policy” 16 November 2020

[Carbon Pulse](#): “List of religious institutions’ disinvestment from fossil fuels” 17 November 2020

[Eos.org](#): Benish S and Fiffer M “Affordable Clean Energy Rule Threatens Progress of Clean Air Act” 18 November 2020

[Lexology](#): “Inadequate NEPA Climate Change Analysis Prevents Oil and Gas Leasing in Wyoming” 18 November 2020

[Lexology](#): “Biden Climate Change Plans Likely to Face Challenges” 18 November 2020

[Lexology](#): “New Funding in Alberta to Boost Efforts to Reduce Greenhouse Gas Emissions” 17 November 2020

[IISD](#) SDG Knowledge Hub: “UNFCCC Partnership Outlines Sectoral Visions for Net-zero World” 16 November 2020

[IISD](#) SDG Knowledge Hub: “NewClimate Institute Report Analyzes Nuances of Net-zero Targets” 16 November 2020

[IISD](#) SDG Knowledge Hub: “450 Public Development Banks Pledge to Align with Paris Agreement” 16 November 2020

[IISD](#) SDG Knowledge Hub: “Polycentric Governance Model Supports Sustainable Energy Access, Transition” 18 November 2020

[European Commission](#): “Public consultations launched on reviewing the EU directives on energy efficiency and renewable energy” 18 November 2020

[Lexology](#): “EPA Proposes Revised Cross-State Air Pollution Rule for the 2008 Ozone NAAQS” 16 November 2020

[Lexology](#): “Germany's new emissions trading system: an unconstitutional scheme?” 16 November 2020

[Lexology](#): “Climate change and pension investment: what should trustees be considering?” [UK] 13 November 2020

[IEA](#): “Renewable energy market update - Outlook for 2020 and 2021” (May 2020)

- **Environmental enforcement**

[Lexology](#): “Newt-counting delays ... a massive drag’: environmental aspects of the Planning White Paper” [UK] 5 November 2020

[IISD](#) ENB: Pinto-Bazurco JF “The Precautionary Principle - Still Only One Earth: Lessons from 50 years of UN sustainable development policy” 23 October 2020

Judicial Review of US Lead Hazard Rule Suggests Debate Will Continue” 16 November 2020

[Lexology](#): “EPA Finalizes Regulations Ending “Once-In-Always-In” Policy” 16 November 2020

[Lexology](#): “Greenwash? Environmental claims, regulatory action and legal risks” 16 November 2020

[Lexology](#): “At a glance: enforcement of environmental law in China” 24 September 2020

[Lexology](#): “Australian Productivity Commission releases draft report into regulation of resources sector: reducing the regulatory burden without diluting regulatory outcome” 13 November 2020

[BBC](#): Messenger S “Brexit: Environmental watchdog to be introduced in Wales” 23 November 2020

- **Local government**

[UNEP](#): “Sustainable Cities: Lessons from Nepal and Colombia” 30 October 2020

[IISD](#) SDG Knowledge Hub: “Local Governments Should Formulate, Not Just Implement, Policy for Green Recovery” 18 November 2020

Thomas Reuters [Foundation](#): Taylor L “As COVID-hit Brits escape to the country, minorities face rural racism” 12 November 2020

Thomas Reuters [Foundation](#): Biron CL “‘First line of defense’: COVID-19 prompts rethink in role of buildings” 18 November 2020

Thomas Reuters [Foundation](#): Biron CL “‘Tree equity’: U.S. cities urged to focus planting in areas most at risk” 17 November 2020

Thomas Reuters [Foundation](#): Harrisberg K “Women and girls bear brunt of Africa ‘transport poverty’” 13 November 2020

Thomas Reuters [Foundation](#): Graham J “Evacuated amid COVID-19, Canadian First Nation waits for clean water” 18 November 2020

Sustainable Minerals [Institute](#): “The bonds between person and place have a role to play in energy transition planning” 17 November 2020

[Climate Interaction](#): World Climate Simulation

- **Mining**

[Extractives Baraza](#): “Rampant Sand Mining Damaging Yamuna’s Ecology” 16 November 2020

Sustainable Minerals [Institute](#): “New UQ and Industry Consortium to tackle energy efficiency in mineral processing operations” 14 October 2020

- **Water, oceans, waste and chemicals**

[Phys.org](#): “Emerging digital tools for marine and freshwater conservation” 30 October 2020

FSU [Video](#): MacDonald I “The longest oil spill in US history” 28 September 2020

Getches-Wilkenson Centre: “Meeting the Financial Challenges of Improved Water Management in the West: Session One” Discussion of 24 September 2020 [available](#) – written discussions on sessions 2-4 are also available on this website

[Science](#): Voosen P “Seas are rising faster than ever” 18 November 2020

[Lexology](#): “US EPA Releases Draft National Recycling Strategy for Comment” 18 November 2020

[Lexology](#): “Expanded producer responsibility: How Ontario’s proposed Blue Box Regulation could affect your organization” 16 November 2020

[Hakai](#): Tada GM “The Rising Tide Underfoot - Changing sea levels are pushing groundwater into new and problematic places” 17 November 2020

[IISD](#) SDG Knowledge Hub: “SPREP Guidelines on Environmental Assessments Promote Sustainable Development in Pacific” 18 November 2020

[IISD](#) SDG Knowledge Hub: “Marine Litter and Microplastics Expert Group Forwards Recommendations to UNEA” 18 November 2020

[EurActiv](#): Taylor K “EU defines sustainable plastic manufacturing in draft green finance rules” 18 November 2020

[Lexology](#): “EU steps up its game in becoming a climate-neutral continent: an increased contribution from the shipping industry is imminent” 16 November 2020

[Lexology](#): “Biocides, Brexit and sovereignty: Why the trade discussions are largely irrelevant for biocidal products regulation” 16 November 2020

[BBC](#): Gill V “Have rogue orcas really been attacking boats in the Atlantic?” November 2020

[BBC](#): “How a new type of glove can reduce environmental damage” 22 November 2020

[BBC](#): “Students create device to capture car tyre microplastic debris” 21 November 2020

[BBC](#): “Satellite will track the steady rise of the oceans” 21 November 2020

- **Miscellaneous**

[Inga](#): Social and human rights country context reports

[The Guardian](#): Ambrose J “EDF confirms Hinkley Point B to be shut down earlier than planned” 19 November 2020

[Lexology](#): “UK Government Unveils New "Ten Point" Environmental Plan: A Green Industrial Revolution?”

[EU Commission](#): “EU taxonomy for sustainable activities”

[IISD](#) SDG Knowledge Hub: “Trade and Environment: Revisiting Past Debates and Weighing New Options” 13 November 2020

[IISD](#) SDG Knowledge Hub: “WTO, UNEP Event Highlights Role of Trade in Green Recovery” 17 November 2020

[IISD](#) SDG Knowledge Hub: “IISD Panel Urges Inclusiveness in Trade and Environment Debate” 17 November 2020

Thomas Reuters [Foundation](#): Chandran R “Landless Thais get homes in mangrove forest in conservation push” 16 November 2020

Jamaican women worst hit by livestock and crop theft in pandemic” 16 November 2020

Corporations are not Entitled to the Constitutional Right Against Cruel and Unusual Punishment” 10 November 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa KZN Branch Committee together with eThekwin Municipality: Dialogue on the dichotomy of land use management and biodiversity offsetting to determine the challenges and opportunities they present for each other within the eThekwin Metro

Date: Tuesday 24 November 2020

Time: 11h00-13h00

Cost: Members Free / non-Members R220/ Student Non-Members R30

[The invitation is available here.](#) Please register at the link before 13h00 on Monday 23 November 2020. The Zoom link will be provided the day before the event, once membership has been verified and non-member payments have cleared through the bank.

Anyone not registered for the event with IAIAsa and joining the webinar will be removed automatically.

Places are limited. We therefore respectfully request that if you register and cannot attend you cancel your registration on or 13h00 on Monday 23 November 2020, failing which a no-show fee will be applicable.

[Register here](#)

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

CBSS Training Courses in Water Governance scheduled for 2021

- [9 – 11 February 2021, in Pretoria](#)
Registration closes 19 January 2021
Early Bird payment discount applicable until 29 December 2020
Refresher: 11 February 2021
Only EIGHT (8) seats still available
- [9 - 11 March 2021, near Stellenbosch](#)
Registration closes 8 February 2021
Early bird payment discount applicable until 26 January 2021
Refresher: 11 March 2021
Twelve (12) seats still available

Other venues can be arranged, depending on sufficient numbers – contact [Carin](#) for more details

Discounts are available for Early Bird payments, bona fide students, WISA-members, and group registrations.

Register [here](#).

World Academy of Sciences Sub-Saharan Africa Regional Partner (TWAS-SAREP) in partnership with the TWAS Young Affiliates Network (TYAN): Enhancing Digital platforms for Capacity Development and Career Advancement in times of pandemics

Date: 26-27 November 2020

Time: 14:00-17:00 (SAST)

The workshop seeks to increase the knowledge of young researchers in Africa and in so doing, building their capacity and advancing their careers amid the challenges that the COVID-19 pandemic presents to the world. Furthermore, the workshop will equip participants with the needed knowledge and skills needed to adjust to the challenges that the COVID-19 pandemic presents to teaching, research, and collaboration, as well as address other capacity development needs of young researchers in response to COVID-19.

You are cordially invited to participate in the workshop, which will be hosted virtually on the 26th and 27th November 2020, from 14:00 to 17:00 South African Standard Time (SAST). We would highly appreciate that you disseminate this invitation widely to your relevant stakeholders, databases and networks. Participation of women scientists from Least Developed Countries (LDCs) and Science and Technology Lagging Countries (STLCs) is highly encouraged. Please click [here](#) to register (Free).

The Open SDG Club South Africa Symposium: Inclusive and Transformative Recovery – Delivering on SDGs Decade of Action

Date: 24-27 November 2020 (Zoom)

Registration: Contact [Puseletso Maile](#)

International

GNHRE: Webinar on human rights approaches to climate litigation in Africa

Date: 26 of November 2020

More [details](#)

IAIA21 Smartening Impact Assessment in Challenging Times became an online event

Date: 18-21 May 2021

Listen to the [video](#)

More information on the [website](#)

Call for Abstracts for the ISARM 2021 International Conference: 2nd International Conference on Transboundary Aquifers

Date: 6 to 8 December 2021

Place: UNESCO Headquarters, Paris, France

The abstracts should be in English only (less than 400 words) and it should address a subject on one of the topics of the Conference. We would like to receive the abstracts by 30 December 2020.

The abstract should be sent filling the form [here](#)

More [information](#) and registration

Queries [here](#)

Webinar: Solar Powered Water Systems in Humanitarian Context – Types and Configurations

Date: 25 November 2020

Time: 11:00 am CET (check your [local time](#))

Register [here](#)

IAIA Virtual International Public Participation Online Course

Dates: February 2021 – 3 days (final dates to be advised)

More [information](#)

[Registration](#)

Elisabeth Haub School of Law's Land Use Law Center 19th annual Alfred B. DelBello Land Use and Sustainable Development Conference: Making Progress in an Altered Landscape

Date: 7-10 December 2020 (Zoom)

For more information visit our [Conference Page](#)

ICR Webinar: The Law of Enhanced Weathering for Carbon Dioxide Removal

Date: 2 December 2020

Time: 12 to 1 pm EDT

[Registration](#)

Energy Anthropology Network workshop CFP: Digitisation and low-carbon energy transitions

Date: 23-24 August 2021

Place: University of Stavenger

Call for papers [here](#)

NEWS

National

- **Biodiversity, protected areas, culture and animal rights**

Environmental: ‘Slow progress’ with shark plan implementation

“The 2013 plan of action for shark management and conservation is ‘overly ambitious’. This is according to a panel of experts appointed in May to review progress in implementing the plan, which has been ‘slow’. Among other things, the panel recommended improving communication and co-ordination between departmental units providing ‘scientific advice’ and those tasked with ‘management action’; developing ‘measurable indicators’ for tracking progress in completing essential tasks; and a ‘stronger focus’ on illegal, unregulated and unreported fishing. Environment, Forestry & Fisheries Minister Barbara Creecy has undertaken to ensure the recommendations are taken seriously.”

Read full report in Legalbrief Policy Watch 18 November 2020

- **Climate change and energy**

Burkhardt P “Eskom aims for 2050 net zero emissions” [fin24](#) 14 November 2020
[Legalbrief Environmental 27 November 2020]

Faku D “Sasol seeks additional gas supplies as it struggles with carbon emissions” [IOL](#) 12 November 2020

“CEF, SFF welcome High Court decision on sale of strategic crude oil reserves” [Engineering News](#) 20 November 2020

Environmental: Another blow to Limpopo coal power station

“The Department of Environmental Affairs has set aside the environmental impact approval for the Thabametsi coal power station in Limpopo on the eve of a High Court review application to force them to do so, Beeld reports. The Centre for Environmental Rights (CER), Earthlife Africa and groundwork have been in a legal battle for five years to set aside the environmental impact approvals. They argued that the study on the new power station in the water scarce area of Lephalele did not consider climate change factors. Former Environmental Affairs Minister Edna Molewa dismissed the appeals by the environmentalists. The CER says Thabametsi will now have to start from scratch with an environmental impact study if they wish to continue. The setback for the project is only the latest in a string of setbacks. Legalbrief Environmental reported previously that the South Korean Electric Power Corporation announced a withdrawal of its participation as a 50% shareholder in Thabametsi. The PIC and Industrial Development Corporation and the major commercial bank also withdrew financing for Thabametsi following pressure from environmental lobby groups.”

Full Beeld report (subscription needed) Legalbrief 18 November 2020 – also read [TimesLive](#) report

Energy: Nersa to consider 2 500MW nuclear build plan

“Mineral Resources & Energy Minister Gwede Mantashe has taken steps to lay the legal basis to procure new nuclear energy capacity by asking the National Energy Regulator of SA (Nersa) to approve a ministerial determination for 2 500MW of new nuclear capacity. But a Business Day report says the development has raised concerns in the energy industry as the 2019 Integrated Resource Plan (IRP) did not make an allowance for any new nuclear energy to be built in the next decade. While energy procurement must be in line with what has been gazetted in the IRP, it requires the government to ‘commence preparations for a nuclear build programme’. ‘The department can confirm that it has issued a draft section 34 ministerial determination for the 2 500MW new nuclear build programme to Nersa for concurrence. This is informed by decision 8 of the IRP 2019. The plan states that we need to “commence preparations for a nuclear build programme to the extent of 2 500MW at a pace and scale that the country can afford because it is a no-regret option in the long term”.’ Nersa said that it received the determination in August and would discuss the public consultation process this week.”

Full Business Day report (subscription needed) Legalbrief Environmental 17 November 2020

- **Environmental enforcement**

Legislation: NEMA Bill’s transformation clause unrealistic?

“Environment, Forestry & Fisheries Deputy Minister Makhotso [Sotyu](#) has drawn attention to numerous challenges associated with registering environmental assessment practitioners and their ‘professionalisation’ – albeit unintentionally. According to a *Government Gazette* notice in January extending the deadline for registration by another 24 months, the Environmental Assessment Practitioners Association of SA has ‘successfully registered only a limited number of applications’. Worse still, a Council for Scientific & Industrial Research study in 2016 pointed to a paucity in appropriate ‘mechanisms’ for determining the number of environmental assessment practitioners in SA. Yet, once in force, clause 2 of the 2017 National Environmental Management Laws Amendment Bill’s ‘D’ **version** will make ‘the full participation of black professionals in the environmental management sector’ one of the Act’s overarching principles. Now before the NCOP, the Bill features a raft of provisions aimed at ‘effect(ing) a coherent legislative transition’ to one environmental authorisation system for all ‘mining and related activities’ (Bowmans).”

Read full report in Legalbrief Policy Watch 18 November 2020

- **Local government**

“Landmark “Deadly Air” pollution case against government to be heard in May 2021” [CER](#) 16 November 2020

- **Mining**

Yeld J “West Coast mining magnate fails to keep criminal trial secret” [GroundUp](#) 16 November 2020

- **Water, oceans, waste and chemicals**

Pienaar E “Day Zero in ‘The Place of Water’” [GroundUp](#) 19 November 2020

Damba-Hendrik N “Almost R254 million and 10 years later, still no water in villages” [GroundUp](#) 16 November 2020

Carnie T “Healing South Africa’s largest lake paradise” [Daily Maverick](#) 21 November 2020

- **Miscellaneous**

GreenCape “Backing green SMMEs for a sustainable economic recovery” [Daily Maverick](#) 19 November 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“LIFE programme: over €280 million in EU funding for environment, nature and climate action projects” [European Commission](#) 16 November 2020

Lo J “Bolsonaro’s attack on the Amazon breaches Brazil’s constitution, climate lawyers argue” [Climate Home News](#) 18 November 2020

Dunne D “Protecting world’s tropical peatlands could help ‘stop the spread of new diseases’” [The Independent](#) 18 November 2020

Batchelor T “Marine biologists probe mystery illness after spike in whales washed up on French beaches” [The Independent](#) 18 November 2020

Dunne D “UK overseas territory to create one of the ‘world’s largest wildlife sanctuaries’” [The Independent](#) 13 November 2020

Cox L “Australia’s platypus habitat has shrunk 22% in 30 years, report says” [The Guardian](#) 22 November 2020

Macaulay C “Donegal: Ministers shocked at peat slide devastation” [BBC](#) 21 November 2020

Briggs H “Global map of bees created in conservation first” [BBC](#) 20 November 2020

“Tiger King star Jeff Lowe sued over ‘inhumane treatment’ of animals” [BBC](#) 21 November 2020

“Blue whale numbers on the rise at South Georgia” [BBC](#) 20 November 2020

Rosen Y “Wildlife diseases poised to spread northwards as climate changes: study” [Reuters](#) 20 November 2020

Laing A and Lo Bianco M “Opposites attract: Wild and captive jaguars mate in Argentina to save species” [Reuters](#) 19 November 2020

- **Climate change and energy**

“Australian MP introduces net zero emissions bill as climate pressure mounts on govt” [Carbon Pulse](#) 9 November 2020

“Quebec bans new sales of gas-powered vehicles by 2035, issues industrials free carbon allowances” [Carbon Pulse](#) 16 November 2020

“Global net zero commitments may render EU carbon border levy “less” necessary -Commission climate chief” [Carbon Pulse](#) 16 November 2020

Cole H “Touch of Frost Brexit boss David Frost tells PM to prepare to shake on EU trade deal as soon as Tuesday” [The Sun](#) 16 September 2020

Nijhuis C “German state environment ministers call for 60% EU emission cut target” [Carbon Pulse](#) 16 November 2020

“Vietnam legislates domestic emissions trading scheme” [Carbon Pulse](#) 19 November 2020

“Global emissions far off track for 1.5C, even as US GHGs to plunge to 1983 levels this year –reports” [Carbon Pulse](#) 19 November 2020

“Switzerland signs second carbon offset deal with Ghana” [Carbon Pulse](#) 18 November 2020

Rowling M “About 150 nations due to deliver stronger climate plans in 2020, tracker shows” [Reuters](#) 17 November 2020

Shwe E “Md. Climate Commission Seeks More Ambitious Plan, But Some Say It’s Still Not Enough” [Maryland Matters](#) 18 November 2020

“EU Climate Law deal could face delay over budget brouhaha –analysts” [Carbon Pulse](#) 17 November 2020

Gemmingen K “Top France administrative court gives government 3 months to show progress on Paris climate change commitments” [The Jurist](#) 20 November 2020

Dunne D “Microplastics discovered near summit of Mount Everest” [The Independent](#) 21 November 2020

Cockburn H “Climate crisis: Arctic sea ice freezing at latest date on record” [The Independent](#) 20 November 2020

Smith A “Green gas to be produced at Sydney Water plant in an Australian first” [Sydney Morning Herald](#) 23 November 2020

“Green economy faces challenge to replace carbon energy sources” [Mining Weekly](#) 19 November 2020

Harrabin R “Climate pledge on gas boilers for 2023 ‘vanishes’” [BBC](#) 21 November 2020

“Trudeau unveils Canada's net-zero by 2050 plans” [BBC](#) 20 November 2020

Molloy D “Climate change: Can sending fewer emails really save the planet?” [BBC](#) 19 November 2020

Kelly S *et al* “Pipe dreams leave U.S. energy firms caught in climate trap” [Reuters](#) 23 November 2020

Kelly S and Renshaw J “Exclusive: Plotting future, U.S. biofuel industry seeks federal clean fuel program from Biden” [Reuters](#) 21 November 2020

Abnett K and Jessop S “EU denies gas plants a green finance tag, offers possible hydrogen loophole” [Reuters](#) 20 November 2020

Abnett K “EU failed to properly assess climate risk of gas projects, watchdog says” [Reuters](#) 19 November 2020

Abnett K “European Union plans mammoth expansion of offshore wind farms” [Reuters](#) 19 November 2020

Wehrmann B “German industry welcomes EU offshore wind plans, but environmental concerns remain” [Clean Energy Wire](#) 20 November 2020

Amelang S “German Greens call on climate activists for unity in election goals” [Clean Energy Wire](#) 20 November 2020

“China-led shift to electric vehicles to help end 'oil era': study” [Reuters](#) 20 November 2020

“China's carbon neutrality pledge undermined by coal power plans: study” [Reuters](#) 20 November 2020

DiSavino S “U.S. court allows Equitrans to keep building Mountain Valley natgas pipe” [Reuters](#) 19 November 2020

Twidale S “Britain to ban new petrol cars by 2030 on road to net zero emissions” [Reuters](#) 17 November 2020

- **Local government**

“Tyneside councils win clean air zone court challenge” [BBC](#) 21 November 2020

Weber R “Potentially harmful aerosols concentrate in European urban centres” [Nature](#) 18 November 2020

- **Mining**

Matimaire K and Ndebele L “Illegal gold miners believed to be 'buried alive' in Zimbabwe” [TimesLive](#) 19 November 2020

Williams K “Trump administration opens bids for oil and gas lease sales in Arctic refuge” [The Jurist](#) 18 November 2020

Williams K “Federal judge blocks oil drilling efforts in Wyoming for failure to assess climate impact” [The Jurist](#) 17 November 2020

“De Beers Namibian diamond venture gets tax break to extend operations” [Mining Weekly](#) 20 November 2020

Iannucci E “NT govt approves McArthur River amendments” [Mining Weekly](#) 20 November 2020

“ICMM's new interactive tool to help achieve sustainable mine closure” [Mining Weekly](#) 19 November 2020

“U.S. moves to loosen safety rules for Arctic Ocean oil drilling” [Reuters](#) 19 November 2020

- **Water, waste, oceans and chemicals**

Smith R "Pittsburgh water authority pleads guilty to pollution breach of federal Clean Water Act" [The Jurist](#) 19 November 2020

Readfearn G "War of the weedkiller: why environmentalists are concerned about moves to ban Roundup" [The Guardian](#) 21 November 2020

"Internal probe into toxic Sydney land deal two years ago went nowhere" [Sydney Morning Herald](#) 23 November 2020

Senior M "New rules for Arctic shipping 'a missed opportunity'" [BBC](#) 21 November 2020

"Plastics an 'unfolding disaster' for US marine life" [BBC](#) 20 November 2020

Whewell T "The Caribbean islands poisoned by a carcinogenic pesticide" [BBC](#) 21 November 2020

- **Miscellaneous**

Carlson D "ESG investing now accounts for one-third of total U.S. assets under management" [MarketWatch](#) 17 November 2020

"China seeks to retrieve first Moon rocks since 1970s" [BBC](#) 22 November 2020

"Green targets: Do governments meet them?" [BBC](#) 19 November 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

University of the Western Cape: Professor in Environmental Law

Closing date: 26 November 2020

More [information](#)

Warburton Attorneys Inc: Candidate attorney 2021

Warburton Attorneys Inc currently has an opportunity available for an enthusiastic and motivated law graduate with a special interest in Environmental Law to begin articles of clerkship in February 2021.

Preference will be given to historically disadvantaged individuals who have completed their Bachelor of Laws (LLB) and Master of Laws in Environmental Law (LLM) degrees.

For more information visit the [website](#). [Email](#) a detailed CV and letter of motivation.

University of the Free State: Compliance Officer

Closing date: 30 November 2020

More [information](#)

University of Cape Town: Junior Research Fellow (Contract)

Closing date: 3 December 2020

More [information](#)

Rhodes University: Law Lecturer (3 year contract)

Closing date: 3 December 2020

More [information](#)

University of Fort Hare: Manager: Examinations and Graduation

Closing date: 23 November 2020 23:00

More [information](#)

University of Fort Hare: Manager: Committees

Closing date: 23 November 2020 23:00

More [information](#)

International

Environmental Justice Australia is looking for a senior litigation lawyer to join our climate program

The successful applicant will work with me on climate litigation, legal research and legal advocacy.

I would greatly appreciate you passing on news of this opportunity to any litigation lawyers with experience running public or administrative law litigation matters in Australia, who would like to work on climate litigation.

It is certainly an interesting and exciting time to be practicing in the area of climate law, especially in Australia.

A short summary of the opportunity –

We are looking for a senior litigation lawyer interested in working on climate litigation, who is committed to climate justice and social justice issues. The role is a unique opportunity to make an important difference in mitigating the climate crisis.

The candidate must be admitted to practice in Australia. At least five years of litigation experience in Australia in an area of public or administrative law is required.

A demonstrated understanding of climate law and climate science is preferred.

Environmental Justice Australia is an equal opportunity employer. Aboriginal and Torres Strait Islander people, women, people from culturally and linguistically diverse backgrounds, LGBTQI people and people with a disability are encouraged to apply.

The full position is available online [here](#)

Closing date: 30 November 2020

Enaex Africa Senior Legal Specialist

More [information](#)

Senior Climate Change Specialist, World Bank – Washington DC

More [information](#)

Elisabeth Haub School of Law Faculty Hiring Announcement

The Elisabeth Haub School of Law at Pace University invites applications to fill up to two fulltime, academic tenure-track/tenured faculty positions at the rank of assistant professor, associate professor, or professor. The positions will begin in August 2021. Applicants must be committed to providing excellent legal training both in person and online, engaging in meaningful service within the law school and in the broader community, and producing excellent scholarship.

Applicants should have teaching and research interests in any of the following areas: environmental law, natural resources law, sustainable business law, energy and climate law, public health law, contracts law, business law, and tax law. Applicants whose interests cover multiple of these areas are particularly encouraged to apply. We welcome applications from candidates interested in doctrinal, experiential, and/or clinical teaching.

Applicants seeking the rank of assistant professor should hold a J.D. from an accredited law school or an equivalent degree from a non-U.S. law school. A successful candidate will have an excellent academic record and demonstrated potential for accomplishment in teaching, scholarship and research, and service. 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. Pace is committed to achieving completely equal opportunity in all aspects of University life.

Pace University's Elisabeth Haub School of Law (Pace Law) offers J.D. and Masters of Law degrees in both Environmental and International Law, as well as a series of joint degree programs including a Doctor of Juridical Science (SJD) in Environmental Law. The school, housed on the University's campus in White Plains, NY, opened its doors in 1976 and has over 8,000 alumni around the world. The school maintains a unique philosophy and approach to legal education that strikes an important balance between practice and theory. For more information, visit <http://law.pace.edu>.

Please apply via <https://careers.pace.edu/postings/16869>. Applications will be considered on a rolling basis. Direct any questions via email to Appointments Committee Chair, Professor Margot Pollans, mpollans@law.pace.edu.

[Assistant / Associate / Full Professor in Law](#)

York University Osgoode Hall Law School Law

[PhD Scholarships in Law](#)

University of Copenhagen Faculty of Law

[Research Associate in Law and Economics](#)

University of Hamburg Faculty of Law, Institute of Law and Economics

[Postdoctoral Fellow in Law](#)

University of Hong Kong Department of Law

[Academic Fellow in Law](#)

University of Hong Kong Department of Law

[PhD Research Fellow in Law](#)

University of Oslo Scandinavian Institute of Maritime Law

[Postdoctoral Fellowship in Sustainability Transitions and Innovation Policy](#)
University of Oslo Centre for Technology, Innovation and Culture

[Faculty Position in Law](#)
Singapore Management University School of Law

[Associate / Full Professor in Law](#)
University of Dubai

[Teaching Associate in Human Rights Law](#)
University of Nottingham Department of Law

[Teaching Associate in Law](#)
University of Nottingham Department of Law

[Research Associate in Environmental Policy](#)
Imperial College London Centre for Environmental Policy

[Faculty Position in African and African Diaspora](#)
University of Texas Austin Department of African and African Diaspora

[Faculty Professor Assistant in Criminal Justice](#)
University of Pittsburgh Division of Behavioral and Social Sciences

[Lecturer in Law and Philosophy](#)
University of Chicago Law School

[Instructor in Law](#)
University of California Los Angeles School of Law

UN Habitat Innovation and Climate Action Consultant, UN-Habitat – Brussels (Initially Remote)
Closing date: 23 November 2020
More [information](#)

Senior Climate Change Specialist, World Bank – Washington DC
More [information](#)

Carbon Forestry Consultant, Ekos Kamahi – Wellington
More [information](#)

Business Development Manager Carbon Credits, GreenCollar Group – Brisbane/Rural Queensland
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 48

27 November 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere! Actually the numbers of infected persons are alarmingly increasing in some of our provinces, especially in the Eastern Cape.

Keep safe and keep contact via Facebook and the website.

We launch a new website in November and shall keep you updated.

POLICY

NERSA "Consultation Paper Concurrence with the Ministerial Determination on the Procurement of 2 500mw Generation Capacity from Nuclear" 23 November 2020 - for [comment](#)

Constitution of the Republic of South Africa, 1996 - GN 1267 in GG 43938 of 26 November 2020 - Draft White Paper on Audio and Audiovisual Content Services Policy Framework - for comment

Department of Higher Education and Training - GN 1272 in GG 43946 of 27 November 2020 - National List of Occupations in High Demand, 2020

BILLS

Cybercrimes and Cybersecurity Bill, 2017 [B6C-2017] & [B6D-2017]

Agricultural Produce Agents Amendment Bill, 2020 [B33-2020]

LEGISLATION

DIRECTIONS

Disaster Management Act 57 of 2002 - GN R1270 in GG 43943 of 27 November 2020 - Direction Extending COVID-19 TERS Benefits for Certain Categories of Employees published in GN R968 in GG 43693 of 7 September 2020 withdrawn with effect from 15 October 2020

NOTICES

Plant Breeders' Rights Act 15 of 1976 - GN 1249 in GG 43934 of 27 November 2020 - Regulations relating to plant breeders' rights amended

National Environmental Management Act 107 of 1998 - GN 1271 in GG 43944 of 27 November 2020 - Proposed amendment to Chapter 2 and Chapter 5 of the Integrated Environmental Management Plan for Phase 1 of the Square Kilometre Array and proposed amendment to the conditions of exclusion - for comment

Mineral and Petroleum Resources Development Act 28 of 2002 - GN 1269 in GG 43942 of 27 November 2020 - Notice of proposed investigation in terms of s. 50 of the Act to confirm the results of previous geoscientific surveys on geochemical anomalies for the possible exploration and exploitation thereof - for comment

International Trade Administration Act 71 of 2002 - GN 1247 in GG 43929 of 23 November 2020 - International Trade Administration Commission of South Africa (ITAC): Notice of intention to extend the Policy Directive on the Exportation of Ferrous and Non-Ferrous Waste and Scrap Metal - for comment

National Energy Regulator Act 40 of 2004 - GN 1244 in GG 43926 of 23 November 2020 - National Energy Regulator of South Africa (NERSA): Notice of publication for comment of the consultation paper on concurrence with the ministerial determination on the procurement of 2 500MW new generation capacity from nuclear

PROVINCES

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 68 in PG 3213 of 27 November 2020 - City of Mbombela Local Municipality - By-law Relating to Streets, Public Places, the Prevention of Noise disturbance and Noise Nuisance, 2018

North West

Local Government: Municipal Systems Act 32 of 2000 - GN 1263 in GG 43934 of 27 November 2020 - North West Provincial Government - Department Community Safety And Transport Management - Dr Kenneth Kaunda District Municipality: District Integrated Transport Plan (2020-2025)

Eastern Cape

Constitution of the Republic of South Africa, 1996 - PN 205 in PG 4480 of 23 November 2020 - Eastern Cape Department of Economic Development, Environmental Affairs and Tourism: Eastern Cape Provincial Integrated Waste Management Plan 2018 - 2023: Final Draft

INTERNATIONAL

The [Doha Amendment](#) will (finally) enter into force at the end of this year. [Energy Women Email List]

PUBLICATIONS

National

Sabinet: New “Reported and Unreported Judgments” Contact [here](#) / +27(12) 643 9500 / [website](#)

Department of Environment, Forestry and Fisheries “National Environmental Compliance and Enforcement Report 2019-20” ([Report](#) November 2020)

2020 116(11/12) [South African Journal of Science](#) (on plant health)

Anhäuser A, Chinyavanhu T, Farrow, A and Sibisi N “Sulfur Dioxide (SO₂) Pollution Hotspots in South Africa: 2019-2020” (Report: [Greenpeace](#) Africa November 2020) [Legalbrief Environmental 24 November 2020]

International

Burger, M., Wentz, J., & Horton, R. (2020). The Law and Science of Climate Change Attribution. 2020 45(1). *Columbia Journal of Environmental Law* <https://doi.org/10.7916/cjel.v45i1.4730>

Oyewunmi T *et al* (eds) *Decarbonisation and the Energy Industry* ([Hart Publishing](#) 2020)

IRENA “Green hydrogen: a guide to policy making” ([Report](#) November 2020)

Gerson JR *et al* “Artificial lake expansion amplifies mercury pollution from gold mining” 2020 6(48) [Science Advances](#) DOI: 10.1126/sciadv.abd4953

Climate Transparency Report. Coronavirus Recovery Comparing G20 Climate Action And Responses To The Covid-19 Crisis ([Report](#) November 2020)

WBGU “Rethinking Land in the Anthropocene: from Separation to Integration” ([Report](#) November 2020)

Samvel Varvastian and Felicity Kalunga “Transnational Corporate Liability for Environmental Damage and Climate Change: Reassessing Access to Justice after Vedanta v. Lungowe” 2020 [Transnational Environmental Law](#)

Burgers Laura “Should Judges Make Climate Change Law?” 2020 [Transnational Environmental Law](#)

Nagheeb M, Mehdi PD and Faure M “The Legitimacy of Dam Development in International Watercourses: A Case Study of the Harirud River Basin” 2020 [Transnational Environmental Law](#)

2020 *Transnational Environmental law* popular 2020 articles – find more [here](#)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[allAfrica](#): Weyer EM and Hetem R “South Africa: Daytime Sightings of Elusive Aardvarks Hint At Troubled Times in the Kalahari” 26 November 2020

- **Climate change and energy**

[Lexology](#): Fontana L and Dladla Y “Spotlight: renewable energy project development in South Africa” 27 August 2020

[Daily Maverick](#): Msebenzi K “ Integrated Resource Plan: Nuclear has to be part of a robust energy mix in the future” 27 November 2020

[Environment](#): “Beyond Politics: The Science of Nuclear Energy Policy”

- **Local government**

[allAfrica](#): “South Africa: Water Dept Acts to Fix Water Challenges in North West” 26 November 2020

- **Mining**

[Daily Maverick](#): Stoddard E “Petmin defends its resettlement plan for controversial Somkhele mine” 19 November 2020 [Legalbrief Environmental 24 November 2020]

[Daily Maverick](#): Stoddard E “Drilling company strikes new-look empowerment deal — Mothlotlo people get direct equity” 26 November 2020

- **Water, oceans, waste and chemicals**

[The Conversation](#): Abia ALK “River of bacteria: a South African study pinpoints what’s polluting the water” 24 November 2020

- **Miscellaneous**

ELA YouTube channel: Find all our recorded events, conference etc at this [link](#) – in future you can also click on the logo of Youtube in the top line of the Newsletter

Africa

- **Biodiversity, protected areas and culture**

[Science](#): Lesté-Lasserre C “Elephants can lose two bathtubs full of water in a single day when it gets hot” 25 November 2020

[allAfrica](#): Oluch F “A Ray of Hope for Heritage Sites Under Threat From Humans, Natural Calamities” 27 November 2020

[allAfrica](#): “Uganda: West Nile Turning Into Desert – CSOs” 25 November 2020

- **Climate change and energy**

[Bizcommunity](#): “Africa must be at the heart of climate negotiations” 23 November 2020

[allAfrica](#): Tin Lei Win “Africa: Family Farmers Struggle to Keep Up With Fast-Warming World” 27 November 2020

[The Independent](#): Dunne D “Electricity access is declining in sub-Saharan Africa but solar offers a way forward, says IEA chief” 25 November 2020

[The Conversation](#): Harrington L and Otto F “Extreme heat is a threat to lives in Africa, but it’s not being monitored” 26 November 2020

- **Environmental enforcement**

[allAfrica](#): Cham J “Gambia: 'Poor Institutional Frameworks Hamper Environmental Management’” 27 November 2020

- **Local government**

[allAfrica](#): Madete E “Africa: Is Timber The Key For Africa's Sustainable Cities?” 27 November 2020

- **Mining**

[Natural Justice](#): “Natural Justice joins legal challenge against the East Africa Pipeline” 25 November 2020

[Extractives Baraza](#): “East Africa: Why Citizen Engagement is Critical for Oil and Gas Sector” 24 November 2020

[Extractives Baraza](#): “Africa: The Changing Dynamics of African Mining and Energy” 24 November 2020

[Extractives Baraza](#): “Uganda: Locals Decry Low Pay in the Mining Sector” 24 November 2020

[Timeslive](#): Ndebele L “Zimbabwe tables US\$5bn budget, with focus on post-Covid tourism, mining, agriculture” 26 November 2020

[Bizcommunity](#): Baumann-Pauly D and Cremer Iyi S “As cobalt demand booms, companies must do more to protect Congolese miners” 26 November 2020

- **Water, oceans, waste and chemicals**

[The Conversation](#): Nzeadibe C and Ejike-Alieji A “Nigeria’s COVID-19 waste management policy should include the informal sector” 22 November 2020

[Mining Weekly](#): “Climate-driven surge in scrap use could slash primary metal demand – Woodmac” 27 November 2020

- **Miscellaneous**

[Extractives Baraza](#): “Africa: China May Scale Back Investment in Africa, Says New Report” 24 November 2020

[Makanday](#): “Data shows extension services the most neglected in agriculture”
[Zambia] 20 November 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Chemistry World](#): King A “Moths draped in stealth acoustic cloak evade bat sonar”
26 November 2020

[IISD](#) SDG Knowledge Hub: “We Must Ratchet Up the Fight Against Illicit Wildlife Trafficking” 23 November 2020

[Wired](#): “These Rare Seeds Escaped Syria's War—to Help Feed the World” 17 November 2020

- **Climate change and energy**

[Lexology](#): “Environmental Law Year in Review 2020: Current trends in climate change regulation and mitigation” [Canada] 25 November 2020

[Lexology](#): “UK Government unveils climate change roadmap for asset managers”
25 November 2020

[Lexology](#): “State Aid and Environmental Protection and Energy” [EU] 20 November 2020

[IISD](#) ENB: UN Climate Change Dialogues 2020 | 23 November - 4 December 2020
| Online

[Carbon Pulse](#): Hewlett O “Comment: How the credibility of sustainable development impact claims can strengthen – or compromise – the voluntary carbon market” 26 November 2020

[Clean Energy Wire](#): Nijhuis C “Consensus on need for CCS to reach climate goals growing in Germany” 26 November 2020

[Argus](#): “Dutch coal-burn halved in 2020” 26 November 2020

[The Washington Post](#): Morrison J “An ancient people with a modern climate plan”
26 November 2020

[Lexology](#): “European Central Bank publishes interview on green and sustainable finance” 24 November 2020

[Lexology](#): “Recent High Court decision - Discovery of wind farm data in the context of s.160 planning injunction proceedings” 23 November 2020

[Lexology](#): “Going Green: Recent Climate Change and Energy Developments”
[Canada] 23 November 2020

[Lexology](#): “Federal Government introduces Bill C-12 to Mandate 2050 Net-Zero Emission Requirements” [Canada] 20 November 2020

[Lexology](#): “Levelling up to Net Zero: Boris Johnson’s blueprint for a Green Industrial Revolution” [UK] 20 November 2020

[Lexology](#): “Sustainability and Climate Change: the new public interest in procurement disputes?”[UK] 23 November 2020

[IISD](#) SDG Knowledge Hub: “A Shot in the Arm for Protecting and Restoring the Land” 23 November 2020

- **Environmental enforcement**

[Lexology](#): “To Supplement, Not Supplant State Law: The Dissenters’ Tribute to Federalism in *Atlantic Richfield Co. v. Christian*” [USA] 25 November 2020

[Lexology](#): “Rolling Back Environmental Rollbacks in the New Administration” [USA] 13 November 2020

[Lexology](#): “Environmental Justice Features in Early Biden Transition Planning” 25 November 2020

[Lexology](#): “Eighth Circuit Clean Air Act Opinion Brings “Deference” into Sharp Focus Chevron, Auer, and Now Voight Deference?” [USA] 23 November 2020

- **Local government**

Thomas Reuters [Foundation](#): Bacchi U “Escape from the city? Londoners lead Europe in COVID-inspired dreams of flight” 19 November 2020

Thomas Reuters [Foundation](#): Taylor L “Solar energy on track to power London rail link by 2022” 23 November 2020

Thomas Reuters [Foundation](#): Laviertes M “COVID, unrest, climate seen as recipe for worsening U.S. housing inequality” 19 November 2020

Thomas Reuters [Foundation](#): Ebrahim TF “Sweet relief: Karachi public toilets aim to boost privy parity” 19 November 2020

[ICLEI](#): Arikan Y “The state of climate action: Tracking progress *en route* from Madrid to Glasgow” 18 November 2020

[ICLEI](#): “Daring Cities 2020: Top 5 most popular thematic sessions” 24 November 2020

[ICLEI](#): “Japan to go climate neutral with support of net zero cities” 26 October 2020

[ICLEI](#) City Talk: Guenard M “Key learnings for cities to enable 1.5-Degree Lifestyles” 2 November 2020

[ICLEI](#) City Talk: “The crucial role of local governments in South Korea’s bold actions towards carbon neutrality by 2050” 16 November 2020

[ICLEI](#): Science-based climate targets: A guide for cities (November 2020)

- **Mining**

[Extractives Baraza](#): “PETRONAS: Growing Green Shoots in the Oil and Gas Industry” 24 November 2020

[Extractives Baraza](#): “Gold Mining Emissions Draw Scrutiny After Price Surge” 24 November 2020

[Extractives Baraza](#): “Mining & Renewable Energy — a Greener Way Forward” 24 November 2020

- **Water, oceans, waste and chemicals**

[Lexology](#): “EPA Extends Deadline for Filing Under Chemical Data Reporting Rule to January 2021” 24 November 2020

[Lexology](#): “The routemap to net zero: the plan to decarbonise the water sector by 2030” 24 November 2020

[IISD](#) ENB: “12th Meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer (Part I) and 32nd Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer | 23-27 November 2020 | Online

[Lexology](#): “PFAS Emerging Contaminant Response Could Learn Some Lessons From PCBs” [USA] 20 November 2020

[Lexology](#): “Government Plan goes to Waste” 23 November 2020

[IISD](#) SDG Knowledge Hub: “Stakeholders Shed Light on Role of Trade Policy in Fight Against Plastic Pollution” 20 November 2020

[IISD](#) SDG Knowledge: “Global Plastic Action Partnership Examines Role of Trade in Tackling Plastic Waste” 19 November 2020

- **Miscellaneous**

Elisabeth Haub School of Law partnered with the University of Maryland Francis King Carey School of Law for a weekly environmental law colloquium to engage our students and communities. The recorded presentations are available to view [here](#).

Thomas Reuters [Foundation](#): “Worsening land inequality widens gender, climate change gaps” 24 November 2020

[IISD](#) ENB: 59th GEF Council Meeting, GEF Council Consultation Meetings with CSOs, and 29th LDCF/SCCF Council Meeting | 4 and 7-11 December 2020 | Online

[IISD](#) SDG Knowledge Hub: “G20 Leaders Declaration Focuses on Debt, Recovery, Inequalities, and Sustainability” 25 November 2020

[IISD](#) SDG Knowledge Hub: “WTO, Geneva’s Youth Discuss Future of Trade and Environment” 20 November 2020

[The Independent](#): Richmond S “What’s the environmental impact of buying online?” 27 November 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

CBSS Training Courses in Water Governance scheduled for 2021

- [9 – 11 February 2021, in Pretoria](#)
Registration closes 19 January 2021
Early Bird payment discount applicable until 29 December 2020
Refresher: 11 February 2021
[Only EIGHT \(8\) seats still available](#)
- [9 - 11 March 2021, near Stellenbosch](#)
Registration closes 8 February 2021
Early bird payment discount applicable until 26 January 2021
Refresher: 11 March 2021
[Twelve \(12\) seats still available](#)

Other venues can be arranged, depending on sufficient numbers – contact [Carin](#) for more details

Discounts are available for Early Bird payments, bona fide students, WISA-members, and group registrations.

Register [here](#).

University of Johannesburg Faculty of law Book Launch: Santa Claus law, fourth industrial revolution, decolonization and Covid-19

Date: 1 December 2020

Time: 10:00-12:00

Click [here](#) to join event

Dullah Omar Institute, UWC Webinar Invite: Next Generation Constitutionalism 'Climate change: Implications for constitutional law'

Date: 8 December 2020

Time: 16:00 – 17:30 PM (SAST)

Please click [here](#) to register in advance for this meeting.

After registering, you will receive a confirmation email containing information about joining the meeting.

Department of Science and Innovation, South Africa and Directorate-General for Research and Innovation of the European Commission 2020 All-Atlantic Ocean Research Forum

Hosted European Union - South Africa joint dialogue where we will interrogate different forms of cooperation to harness investment in disruptive technology entrepreneurs for sustainable economic recovery.

Date: 03 to 04 December 2020

[Click here](#) to find out more information about this event.

[Click here](#) to access the Programme of this event

More [detail](#)

International

IAIA21 Smartening Impact Assessment in Challenging Times became an online event

Date: 18-21 May 2021

Listen to the [video](#)

More information on the [website](#)

IAIA Virtual International Public Participation Online Course

Dates: February 2021 – 3 days (final dates to be advised)

More [information](#)

[Registration](#)

IRENA, IEA and REN21: The Renewable Energy Policies in a Time of Transition: Heating and Cooling

Date: Monday, 30 November 2020

Time: 09:00 CET

More [information](#)

Advancing Ambition and Pandemic Recovery through Climate Law and Governance Innovation

Date: 1 December 2020

Time: 16:00 - 17:00 (CET)

Please [register](#) while spaces are still available.

AEEP Energy Talks: Financing Energy Efficiency in Buildings for a Green Recovery in Africa: Health, Jobs and Climate

Date: 1 December 2020

Time: 14:00-15:30 (CET)

More information and [registration](#)

NEWS

National

- **Biodiversity, protected areas, culture and animal rights**

Ellis E “Relief as court confirms conviction of notorious rhino poaching gang” [Daily Maverick](#) 25 November 2020

“Cabinet approves measures to address threatened biodiversity” [Bizcommunity](#) 25 November 2020

Heritage: Blow for proposed River Club development

“The R4bn proposed River Club development was dealt another blow last week after Heritage Western Cape (HWC) rejected a provincial government Heritage Impact Assessment (HIA), saying there was a concerning ‘lack of consideration related to intangible heritage resources’ of the area. According to a Cape Times report, addressed to the provincial Transport and Public Works Department, HWC’s impact assessment committee rejected the Two Rivers Urban Park (TRUP) Heritage Impact Assessment Phase I, regarding the River Club, Oude Molen, Valkenberg and surrounding lands. ‘It is clear, based on the heritage resources identified within the baseline study and its supporting documentation, that the TRUP is of extremely high heritage significance,’ the HWC said. Heritage significance should be the primary informant for the development of the whole site and not just a parcel, it found. ‘A concerning aspect is the lack of consideration related to intangible heritage resources and the mapping of these resources. The assumption and inclusion of assumed rights with regard to the River Club site was noted by the committee as problematic, as that process is not yet fully concluded,’ it said. The HWC recommended to the HWC Council that a sub-committee of council be constituted and commissioned to oversee the heritage related aspects of the project. Tauriq Jenkins, of the Goringhaicona Khoi Khoi Traditional Indigenous Council, welcomed the decision. Trustee and spokesperson for the Liesbeek Leisure Properties Trust Jody Aufrichtig said the latest HWC comment should not have any impact on the redevelopment.”

Full Cape Times report (subscription needed) Legalbrief Environmental 24 November 2020

Energy: NGO warns small-scale fishers about drilling impact

“Environmentalists are engaging with small-scale fishers to educate them on how to exercise their rights correctly when their land is being used for energy and gas projects. A Cape Argus report notes that Green Connection, which works with coastal communities to protect them from oil and gas drilling, aims to raise awareness of the negative implications of offshore gas and oil exploration for small-scale fishers living in 136 coastal communities across SA. The organisation particularly focuses on small-scale fishers on the Western Cape coast, which is the longest coastline of all four coastal provinces. Spokesperson Liziwe McDaid said: ‘We believe that without a proper energy plan, one that allows for input from all South Africans, we risk investing in things such as further oil and gas exploration and drilling. This could only serve narrow vested interests rather than the greater public good.’ She said citizens who have been relying on the ocean for generations do not seem to be fully recognised when assessing the feasibility of the

government's current proposed energy projects." Full Cape Argus report (subscription needed) Legalbrief Environmental 24 November 2020

- **Climate change and energy**

Marriah-Maharaj J "Illegal electricity connections claim the lives of three children in PMB" [IOL](#) 28 November 2020

"2015 sale of 10 million barrels of CEF oil invalid" [IOL](#) 23 November 2020

Faku D "State to procure 2 000MW of extra energy" [IOL](#) 18 November 2020

Liedtke S "SANEDI rolls out cool surface proof of concept project in Limpopo" [Engineering News](#) 26 November 2020

Slater D "Waterloo solar PV farm starts commercial operations" [Engineering News](#) 26 November 2020

- **Environmental enforcement**

"Bill promoting transformation in environmental sector before parliament" [SA News](#) 17 November 2020 [Legalbrief Environmental 24 November 2020]

DEFF Closure Letter: S 24G applications

Please find attached a memorandum explaining the Timeframes prescribed for Environmental Impact Assessment, Section 24G and Integrated Environmental Authorisations during the period including 15 December to 5 January 2021.

[DEFF 2020/2021 Stakeholders Closure Letter](#)

Mr Sabalo Malaza (Chief Director Integrated Environmental Authorisations Department of Environment Forestry & Fisheries) [IAIAlsa Email 26 November 2020]

- **Local government**

Mbovane T "Streets in central Uitenhage pile up with garbage for months" [GroundUp](#) 27 November 2020

Sizani M "Police intervene as homeowners clash with shack dwellers over illegal connections" [GroundUp](#) 25 November 2020

Sizani M "Residents punished for municipal water bill mix-up" [GroundUp](#) 24 November 2020

Gontsana M-A "Langa covered in overflowing sewage and stagnant puddles" [GroundUp](#) 24 November 2020

- **Mining**

Webster D "Xolobeni activist receives death threat" [New Frame](#) 17 November 2020 [Legalbrief Environmental 24 November 2020]

"DWS suspends Woestalleen Colliery Mine water use licence" [SA News](#) 18 November 2020

Arnoldi M "Mantashe addresses higher fatality rate, safety of women during summit" [Mining Weekly](#) 27 November 2020

“Waterberg, potable water from AMD, economic growth make headlines” [Mining Weekly](#) 27 November 2020

- **Water, oceans, waste and chemicals**

Hlatshaneni S “Wastewater used to track Covid-19 faster than individual testing” [The Citizen](#) 17 November 2020 [Legalbrief Environmental 24 November 2020]

“Nandoni Dam beneficiaries compensated” [SA News](#) 17 November 2020 [Legalbrief Environmental 24 November 2020]

Maako K and Selaluke S “New plan to combat Hennops pollution” [The Citizen](#) 18 November 2020 [Legalbrief Environmental 24 November 2020]

- **Miscellaneous**

Isaac J “Covid-19: Health department warning on initiation schools” [GroundUp](#) 25 November 2020

“R1.3m ploughed into environmentally friendly youth projects” [Bizcommunity](#) 27 November 2020

Liedtke S “African funds with dedicated ESG mandates could hold up to R500bn in JSE-listed equities” [Engineering News](#) 26 November 2020

“SA revisits disaster management strategies amid COVID-19” [SA News](#) 27 November 2020

International

- **Biodiversity, protected areas, animal rights and culture**

“Metal monolith found by helicopter crew in Utah desert” [BBC](#) 26 November 2020

Parletta N “A glimmer of hope on vertebrate biodiversity” [Cosmology Magazine](#) 20 November 2020

Dunne D “UK’s native birds have declined by 11% since 1970, official data shows” [The Independent](#) 27 November 2020

Ratcliffe R “Ancient whale skeleton found in Thailand holds clues to climate change” [The Guardian](#) 27 November 2020

“Denmark could dig up and cremate mink killed in Covid cull” [The Guardian](#) 27 November 2020

Briggs H “Surprise discovery of rare plant at Norfolk 'ghost pond’” [BBC](#) 28 November 2020

“Sri Lanka digs trench to deter scavenging elephants” [BBC](#) 27 November 2020

“Beattock peat extraction plan refusal taken to appeal” [BBC](#) 26 November 2020

“Nearly 100 pilot whales die in mass stranding off New Zealand islands” [BBC](#) 25 November 2020

“Trump administration moves to weaken migratory bird protections” [Reuters](#) 27 November 2020

- **Climate change and energy**

“Japan, South Korea oppose move to bring global shipping into EU carbon market” [Carbon Pulse](#) 26 November 2020

“Portugal adopts passenger carbon tax in 2021 state budget” [Carbon Pulse](#) 26 November 2020

“South Korea to again shut coal plants over winter to tackle pollution” [Carbon Pulse](#) 26 November 2020

“Poland should scrap coal and energy plan, environmentalists say” [Reuters](#) 26 November 2020

“Netherlands sets rate for carbon tax on ETS-covered industry” [Carbon Pulse](#) 27 November 2020

“Denmark excludes increased carbon levy in ‘green’ taxation reform” [Carbon Pulse](#) 24 November 2020

Abnett A and Jessop S “Analysis: Tested by taxonomy - EU green finance rules leaky for ships, tight for houses” [Reuters](#) 23 November 2020

Bannon E “Plug-in hybrids in new emissions scandal as tests show higher pollution than claimed” [Transport & Environment](#) 23 November 2020

“COVID-19 is making organisations 'Net Zero Ready' - but few have set concrete milestones” [South Pole](#) 24 November 2020

“Net zero mining: Sweden’s LKAB maps emissions free future” [Carbon Pulse](#) 23 November 2020

“Agriculture carbon offsets can lead to adverse climate effects, NGO report warns” [Carbon Pulse](#) 23 November 2020

Cockburn H “New Zealand’s Jacinda Ardern to declare climate emergency” [The Independent](#) 27 November 2020

“Orsted says largest Dutch offshore wind farm ready to deliver” [Reuters](#) 27 November 2020

Nijhuis C “Merkel warns against EU car emissions regulation, says combustion engines still indispensable” [Clean Energy Wire](#) 27 November 2020

- **Environmental enforcement**

Cox L “Logging in NSW bushfire-hit coastal regions to be reviewed after stand-off between industry and EPA” [The Guardian](#) 26 November 2020

- **Local government**

Harvey F “European governments failing to protect citizens from air pollution, data reveals” [The Guardian](#) 23 November 2020

- **Mining**

Webb M “Nornickel moves to improve enviro risk management” [Mining Weekly](#) 26 November 2020

- **Water, waste, oceans and chemicals**

Williams K “Environmental groups sue to block new California dam project” [The Jurist](#) 24 November 2020

Carrington D “UK’s nuclear sites costing taxpayers ‘astronomical sums’, say MPs” [The Guardian](#) 27 November 2020

Harvey F “More than 3 billion people affected by water shortages, data shows” [The Guardian](#) 26 November 2020

Hannam P “Byron Bay losing its sand with businesses forced to consider relocation” [Sydney Morning Herald](#) 27 November 2020

Hannam P “Fourth mass coral bleaching event in six years feared by experts” [Sydney Morning Herald](#) 26 November 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

Warburton Attorneys Inc: Candidate attorney 2021

Warburton Attorneys Inc currently has an opportunity available for an enthusiastic and motivated law graduate with a special interest in Environmental Law to begin articles of clerkship in February 2021.

Preference will be given to historically disadvantaged individuals who have completed their Bachelor of Laws (LLB) and Master of Laws in Environmental Law (LLM) degrees.

For more information visit the [website](#). [Email](#) a detailed CV and letter of motivation.

University of Cape Town: Junior Research Fellow (Contract)

Closing date: 3 December 2020

More [information](#)

Rhodes University: Law Lecturer (3 year contract)

Closing date: 3 December 2020

More [information](#)

Environmental Contractor (Virginia - Free State)

Location Welkom, ZA

More information [Linkdin](#)

Varsity College Sandton: Lecturer: Public law (independent contractor)

More [information](#)

University of Stellenbosch: Division for Research Development: Research Contracts: Assistant Legal Advisor: Research Contracts (Full-time Permanent) (Ref. ANO/298/1120)

Closing date: 15 December 2020

More [information](#)

Varsity College: Lecturer: Mercantile Law (Independent Contractor)

More [information](#)

Varsity College: Lecturer: Private Law (Independent Contractor)

More [information](#)

Boston City Campus: Full-Time Higher Education Lecturers - distance mode of delivery - law

More [information](#)

Global Litigation Partners (Pty) Ltd - Durban, KwaZulu-Natal: Employment Law/Litigation Associate

More [information](#)

Department of Environment, Forestry and Fisheries

Closing date: 7 December 2020

More detail [here](#)

LinkedIn Environmental positions [here](#)

International

Director, Division for Sustainable Development Goals, UNDESA – New York City

Closing date: 7 January 2021

More [information](#)

General Manager, Sector Analysis, NZ Climate Change Commission – Wellington

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 49

4 December 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere! Actually the numbers of infected persons are alarmingly increasing in some of our provinces, especially in the Eastern Cape that is now declared a hotspot.

Keep safe and keep contact via Facebook and the website.

BILLS

Traditional Courts Bill, 2017 [B1C-2017] & [B1D-2017]

Customary Initiation Bill, 2018 [B7C-2018] & [B7D-2018]

Local Government: Municipal Structures Amendment Bill, 2018 [B19C-2018] & [B19D-2018]

Auditing Profession Amendment Bill, 2020 [B2B-2020]

Bills Before Parliament (as of 2 December 2020)

- Economic Regulation of Transport Bill (B1-2020)
- National Road Traffic Amendment Bill (B7-2020)
- Employment Equity Amendment Bill (B-14-2020)
- Compensation for Occupational Injuries and Disease Amendment Bill (B21-2020)
- Independent Electricity Management Operator Bill (B14-2019)
- National Health Insurance Bill (B11 – 2019)
- National Health Amendment Bill (B29 – 2018)
- National Environmental Management Laws Amendment Bill (B12-2017)
- National Forests Amendment Bill (B11-2016)

Bills before the President (as of 2 December 2020)

- National Land Transport Amendment Bill (B7-2016)

[Monthly Sustainability Newsletter & SHE Legislation Update November 2020]

LEGISLATION

DIRECTIONS

Disaster Management Act 57 of 2002 - directions

- GN 1281 in GG 43958 of 3 December 2020 - Directions on the determination of the commencement of services and extension for the validity period of learner's licences, driving licence cards, licence discs, professional driving permits and the registration of motor vehicles published in GN 544 in GG 43339 of 20 May 2020 amended
- GN 1278 in GG 43954 of 3 December 2020 - Health directions regarding measures to address, prevent and combat the spread of COVID-19 published in GN 796 in GG 43533 of 20 July 2020 amended
- GN 1279 in GG 43956 of 3 December 2020 - International Air Services (COVID-19 Restrictions on the Movement of Air Travel) Directions, 2020 published in GN 415 in GG 43160 of 26 March 2020 amended
- GN 1280 in GG 43957 of 3 December 2020 - Sea Ports Directions, 2020 published in GN 496 in GG 43275 of 4 May 2020 amended
- GN 1277 in GG 43953 of 3 December 2020 - Seventh Amendment Directions to the Directions published in *Government Gazette* 43162, Government Notice No. 416 of 26 March 2020

International Trade Administration Act 71 of 2002 - GN R1268 in GG 43939 of 26 November 2020 - COVID-19 Export Control) Regulation published in GN R91 in GG 35007 of 10 February 2012 amended

NOTICES

Disaster Management Act 57 of 2002 - GN 1290 in GG 43964 of 3 December 2020 - Regulations issued in terms of s. 27(2) of the Act published in GN R480 in GG 43258 of 29 April 2020 amended with effect from 4 December 2020

Disaster Management Act 57 of 2002 - GN 1292 in GG 43966 of 3 December 2020 - explanatory note

Disaster Management Act 57 of 2002 - GN 1291 in GG 43965 of 3 December 2020 - Determination of Nelson Mandela Bay as a hotspot

Statistics South Africa – Gen Notice 693 in GG 43962 of 4 December 2020 - Consumer Price Index, Rate (Base Dec 2017 = 100): October 2020: 3.3

Petroleum Products Act 120 of 1977 - GN R1273 in GG 43949 of 1 December 2020 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R1162 in GG 43868 of 3 November 2020 substituted with effect from 2 December 2020

Petroleum Products Act 120 of 1977 - GN R1163 in GG 43868 of 3 November 2020 - Regulations in respect of petroleum products published in GN R1059 in GG 43774 of 6 October 2020 substituted with effect from 2 December 2020

Petroleum Products Act 120 of 1977 - GN R1275 in GG 43949 of 1 December 2020 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 2 December 2020

Marketing of Agricultural Products Act 47 of 1996 - GN R1276 in GG 43952 of 2 December 2020 - Establishment of statutory measure and determination of a differentiated levy on planted hectares for funding of an integrated area-wide fruit fly control programme in specified production areas

National Water Act 36 of 1998 - GN 1289 in GG 43962 of 4 December 2020 - Determination of Classes of Water Resource and Associated Resource Quality Objectives for the Berg Catchment published in GN 1179 in GG 43872 of 6 November 2020 corrected

National Environmental Management: Air Quality Act 39 of 2004 - GN 1283 in GG 43962 of 4 December 2020 - Draft Methodological Guidelines for Quantification of Greenhouse Gas Emissions - Carbon Sequestration in the Forestry Industry - for comment

Astronomy Geographic Advantage Act 21 of 2007 - GN 1293 in GG 43967 of 4 December 2020 - Extension of the period for compliance with the Regulations for the Protection of the Karoo Central Astronomy Advantage Areas

PROVINCES

Gauteng

National Environmental Management: Waste Management Act 59 of 2008 - PN 678 in PG 235 of 27 November 2020 - Draft Gauteng Industry Waste Management Plan for the Informal Waste Industry - for comment

Gauteng Rationalisation of Local Government Affairs Act 10 of 1998 - LAN 1456 in PG 239 of 30 November 2020 - City of Johannesburg Metropolitan Municipality - Draft amendment and consolidation of the Public Roads, Miscellaneous By-law, 2004 and the Parking Ground By-laws, 2004 – for comment

Gauteng Rationalisation of Local Government Affairs Act 10 of 1998 and Local Government: Municipal Systems Act 32 of 2000 - LAN 1457 in PG 239 of 30 November 2020 - City of Johannesburg Metropolitan Municipality - Draft Public Transport By-laws – for comment

Limpopo

National Environmental Management: Protected Areas Act 57 of 2003 – Gen Notice 81 in PG 3124 of 4 December 2020 - Mopani District Municipality - Correction notice to declaration of respective land parcels to be included into the existing Balule Nature Reserve as published under PN 62 in PG 3090 of 17 July 2020

National Environmental Management: Protected Areas Act 57 of 2003 - PN 124 in PG 3124 of 4 December 2020 - Mopani District Municipality - Declaration of respective land parcels to be included into the existing Balule Nature Reserve

Western Cape

National Environmental Management Act 107 of 1998 - PN 127 in PG 8359 of 26 November 2020 - Western Cape Environmental Implementation Plan 2020-2025

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20626 in PG 8361 of 27 November 2020 - Cape Agulhas Local Municipality: Appointment of Municipal Planning Tribunal Members

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 20636 in PG 8361 of 27 November 2020 - Oudtshoorn Local Municipality - Call for nominations for persons to be appointed as non-government external members to the Eden Joint Municipal Planning Tribunal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 20639 in PG 8362 of 27 November 2020 - City of Cape Town Metropolitan Municipality - Problem Property By-law, 2019

Eastern Cape

Spatial Planning and Land Use Management Act 16 of 2013 - PN 215 in PG 4485 of 30 November 2020 - Sarah Baartman District Municipality - Appointment of Municipal Planning Tribunal Members

Disaster Management Act 57 of 2002 - LAN 268 in PG 4485 of 30 November 2020 - Kouga Local Municipality - Extension of Local State of Disaster due to the prevailing drought conditions for a further month

CASES

National

Ardnamurchan Estates (Pty) Limited v Renewables Cookhouse Wind Farms 1 (RF) (Pty) Ltd and Others (1408/2015) [2020] [ZAECGHC](#) 132 (1 December 2020)

“2. Although the papers are voluminous, the salient facts and issues giving rise to the applications may be easily summarised. The First Respondent, an entity conducting a wind farming operation, erected a wind turbine on a farm owned by the Fifth Respondent. The Applicant, a property owning company, whose farm is adjacent to the farm owned by the Fifth Respondent, claims acquisitive prescription in respect of the land upon which the wind turbine has been erected and seeks the removal of the wind turbine. The First Respondent denies that the Applicant has acquired the land through acquisitive prescription and pleads, in the alternative, that the Applicant is estopped from claiming a right of prescription. The First and Fifth Respondents bring the counter-application for compensation in lieu of removal of the wind turbine and have tendered such compensation. This case deals with points in limine.”

International

Youth4climatejustice.org ECHR case

Summary in [The Guardian](#) / [website](#) / [court application](#) / French [judgment](#) / English translation attached to the email

PUBLICATIONS

National

2020 16(4) [Quest](#) (for young readers on Science)

International

Wewerinke-Singh Margaretha and Hamman Evan (eds) *Environmental Law and Governance in the Pacific Climate Change, Biodiversity and Communities* ([Routledge](#) 2020) – can get access to individual chapters too (at a price)

Richardson Benjamin J (ed) *From Student Strikes to the Extinction Rebellion New Protest Movements Shaping our Future* ([Edward Elgar](#) 2020)

Grubert E “Fossil electricity retirement deadlines for a just transition” 2020 370(6521) [Science Advances](#) 1171-1173 DOI: 10.1126/science.abe0375

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Daily Maverick](#): Carnie T “Three years on, the shot-hole borer continues to eat away at SA’s trees” 5 December 2020

[Daily Maverick](#): Pugh L “African penguins are heading towards extinction – here’s how we can save them” 1 December 2020

[allAfrica](#): Espinaza N “Africa: Artificial Nests Can Help African Penguins Breed - but Parasites Like Them Too” 3 December 2020

[The Conversation](#): Shackleton R and Wood L “We’ve developed a framework to help World Heritage Sites manage invasive species” 2 December 2020

- **Climate change and energy**

[Daily Maverick](#): Ngam R “Eskom can no longer be allowed to be both poacher and game-keeper of the migration to renewable energy” 1 December 2020

[SABC News](#): “Engen Explosion | Previous calls for Durban oil refinery to shut down: Bobby Peek” 4 December 2020 [provided by Andrew Gilder Climatelegal]

[Bizcommunity](#): Wilson C, Zimm C and De Stercke S “Climate change is best tackled through lots of small-scale solutions - here are 9 reasons why” 4 December 2020

[Bizcommunity](#): “The wooden economy and the world's ultimate renewable” 3 December 2020

- **Local government**

[Daily Maverick](#): Hennig W “Meet Durban’s urban farmers” 4 December 2020

[Daily Maverick](#): Erasmus D “Audit report highlights eThekweni’s poor performance” 5 December 2020

[Daily Maverick](#): Sibisi N “Every breath we take: Counting the cost of noxious air pollution in the Vaal Triangle” 2 December 2020

- **Mining**

[Extractives Baraza](#): “South Africa: Miners Address ‘Second Pandemic’” 1 December 2020

[Daily Maverick](#): Skosana D “Mine, not yours: When will mining companies realise ancestral land cannot be valued in rands and cents?” 2 December 2020

- **Miscellaneous**

[amaBhungane](#): Brümmer S “At a minute to midnight, Sars attempts to secure R4bn state capture loot” 4 December 2020

[Daily Maverick](#): Sachs A “Our Constitution: dealing with stress and redress” 5 December 2020

[Daily Maverick](#): Xaso L “As our Constitution turns 24, we should turn to SA’s history for inspiration” 5 December 2020

Africa

- **Biodiversity, protected areas and culture**

[allAfrica](#): “Africa: World Soil Day Highlights the Role of Soil Biodiversity in Boosting Food Production and Nutrition” 4 December 2020

[allAfrica](#): Saliu YS Gambia: Situation in Makasutu Culture Forest Worrying – Minister” 3 December 2020

[allAfrica](#): “Uganda: District Leaders Express Worry Over Charcoal Ban” 3 December 2020

- **Climate change and energy**

[Bizcommunity](#): “Africa's power demand to keep rising between 4-5% per year” 3 December 2020

[The Conversation](#): Chipango EF “Why Zimbabwean villagers are struggling with a false scarcity of fuelwood” 2 December 2020

- **Environmental enforcement**

[Bizcommunity](#): “Ghana's Ezekiel Chibeze wins top award honouring grassroots environmental activists” 3 December 2020

- **Local government**

Thomas Reuters [Foundation](#): Njagi K “Kenyan farmers and young guides enlisted to protect city forests” 30 November 2020

[Daily Maverick](#): Ellis E “Saved by water and garlic: The story of a Karoo town” 5 December 2020

[allAfrica](#): Desouza P “Kenya: Nairobi's Air Has Been Polluted for Decades - New Review Suggests a Path Forward” 3 December 2020

- **Mining**

[Lexology](#): “Key considerations in drafting and negotiating concession agreements in Nigeria” 1 December 2020

[Centre for Investigative Journalism](#): Lescij L “Chinese Firm ‘Wants To Settle Graft Case’” [Lesotho] 2 December 2020

[BusinessLive](#): Rolland A “Central African Republic children work in mines amid Covid-19 lockdowns” 2 December 2020

[allAfrica](#): “Zimbabwe: Chinese Miners Turn Hwange's Deka Road Into a Death Trap” 6 December 2020

- **Water, oceans, waste and chemicals**

[allAfrica](#): Brandt E “Namibia: Natural Resources Central to Economic Prosperity ... As Namibia Commits to Sustainable Ocean Plans By 2025” 4 December 2020

[allAfrica](#): Ejifoma R “Nigeria: Osun State Governor Hosts Foreign Investors in Water Sector” 4 December 2020

[allAfrica](#): Okafor-Yarwood I “West Africa: Toxic Waste Dumping in the Gulf of Guinea Amounts to Environmental Racism” 2 December 2020

[allAfrica](#): Keaketswe K “Botswana: Plans Afoot for Raw Water Levy Introduction” 2 December 2020

- **Miscellaneous**

[Bizcommunity](#): Van Ravesteyn L “Africa's untapped opportunity: How Africa's free-trade area could catalyse the agricultural sector's development” 2 December 2020

[TimesLive](#): Aboa A and Angel M “Ivory Coast, Ghana cancel cocoa sustainability schemes run by Hershey” 1 December 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Science](#): Pennisi E “There’s an ecosystem beneath your feet—and it needs protection, new report says” 4 December 2020

[Science](#): Stokstad E “Common tire chemical implicated in mysterious deaths of at-risk salmon” 3 December 2020

[Lexology](#): “Court upholds refusal of badger culling licence” 2 December 2020

[IISD](#) SDG Knowledge Hub: “Biodiversity Convention Adopts Budget, Looks Toward 2021” 2 December 2020

[IISD](#) SDG Knowledge Hub: “WTO Members Reveal “Entrenched” Differences as Fisheries Talks Approach 2020 Deadline” 2 December 2020

Thomas Reuters [Foundation](#): Goering L “Planet's life-support systems need care to avert 'the next Wuhan'” 30 November 2020

Thomas Reuters [Foundation](#): Lavietes M “U.S. lands lost in severe wildfires rising over decades” 30 November 2020

Thomas Reuters [Foundation](#): Oldekop J and Rasmussen LV “Opinion: Five mega-trends affecting forests will have profound impacts on local communities” 30 November 2020

[Lexology](#): “The Law on Harming Threatened Species, Populations or Ecological Communities in NSW” 28 November 2020

[BBC](#): “Are angel sharks living in Welsh waters all year round?” 6 December 2020

[BBC](#): “Animal cruelty sentences increase to up to five years in jail” [Scotland] 6 December 2020

- **Climate change and energy**

[Just Security Blog](#): Nevitt M “Climate Change, National Security, & the New Commander-in-Chief” 2 December 2020

[Lexology](#): “Corporate Disclosures of Climate-Related Risks and Fulfilling Sustainability and Climate Commitments” [USA] 3 December 2020

[Lexology](#): “Oregon Supreme Court Rejects Expansion of Public Trust Doctrine in Climate Change Lawsuit”[USA] 2 December 2020

[Lexology](#): “What does it all mean? | Demystifying climate words and concepts” [UK] 3 December 2020

[World Bank](#): “World Bank Announces \$14 Million Bond Payment for Methane and Nitrous Oxide Reduction” 3 December

[European Parliament](#): “Climate change: the EU needs to be better prepared so it can better adapt” 1 December 2020

[Lexology](#): “International: The European Union’s Upcoming Policy and Regulatory Initiatives in the Energy Sector” 30 November 2020

- **Environmental enforcement**

[Lexology](#): “New legislation aims to promote proper use of environment” [Bahamas] 2 December 2020

[Lexology](#): “Sentencing for environmental offences... a more flexible approach?” 3 December 2020

[Lexology](#): “Dogs on beach - Environmental impact assessment duties of councils examined in recent case” [Australia] 2 December 2020

[Lexology](#): “Remedial Legal Logic: Fifth District Doubles Down On Split with Other Districts in Holding CEQA Doesn’t Allow Limited Writ Remedy of Partial EIR Decertification - But Does It Really Matter?” [USA] 29 November 2020

- **Local government**

[Lexology](#): “EPA highlights the impact of increasing noise pollution in Irish urban areas” [Ireland] 3 December 2020

Thomas Reuters [Foundation](#): Chandrin R “Left vacant by COVID-19, can offices become homes to fix housing shortages?” 1 December 2020

Thomas Reuters [Foundation](#): Biron CL “Rising flood risk seen threatening scant supply of low-cost U.S. homes” 1 December 2020

[Lexology](#): “Brazil’s new basic sanitation legal framework A pathway for the transformation of the sanitation sector in Brazil and for private investors to be part of the change” 30 November 2020

- **Mining**

[Lexology](#): “A thumbnail guide to oil exploration and production in USA” 29 June 2020

[Lexology](#): “A thumbnail guide to oil exploration and production in United Kingdom” 29 June 2020

[IISD](#) SDG Knowledge Hub: “Reversing Conflict Minerals: Let’s Formalize Artisanal Mining for Peaceful, Just and Inclusive Societies” 2 December 2020 - find reference to report [here](#) - chapter on ASM [here](#)

[Extractives Baraza](#): “Oil and Gas Industry Commits to New Framework to Monitor, Report and Reduce Methane Emissions” 30 November 2020

[Extractives Baraza](#): “US Sanctions China’s CNOOC on Drilling in Disputed South China Sea” 30 November 2020

[Extractives Baraza](#): ‘UniSA Study Shows Over 90% of Australia’s Mining Companies Have No Policy on Aboriginal Engagement’ 30 November 2020

[Extractives Baraza](#): “Biden’s Electric Vehicle Plan Will Collide with Policies on Mining, Coal” 1 December 2020

- **Water, oceans, waste and chemicals**

[Nature](#): Lubchenco J, Haugan PM and Pangestu ME “Five priorities for a sustainable ocean economy - Unleash the ocean’s potential to boost economies sustainably while addressing climate change, food security and biodiversity” 2 December 2020

[Science](#): Rochmyaningsih D “Dam threatening world’s rarest great ape faces delays” 1 December 2020

[Lexology](#): “EPA Seeks Comments on Updated Draft Guidance for Pesticide Registrants on Plant Regulators and Claims, Including Plant Biostimulants” [USA] 1 December 2020

[Lexology](#): “EPA Releases Updated Draft Guidance for Biostimulant Products” [USA] 30 November 2020

[Lexology](#): “Environmental Protection Agency Releases Draft Supplemental Risk Evaluation for 1,4-Dioxane, Chemical Byproduct in Consumer Goods” [USA] 1 December 2020

[IISD](#) SDG Knowledge Hub: “Declaration Drafting Group Collects Input on Chemicals and Waste Management Beyond 2020” 2 December 2020

[Lexology](#): “Cannabis and Waste: Another "Green" Opportunity” [Canada] 28 November 2020

[Lexology](#): “EU Commission announces new Chemicals Strategy” 30 November 2020

- **Miscellaneous**

[Nature](#): Witze A “Gut-wrenching footage documents Arecibo telescope’s collapse” 2 December 2020

[Science](#): Clery D “Europe plans space claw to capture orbiting junk” 1 December 2020

[Lexology](#): “Taxonomy Regulation - Consultation Launched on Draft Technical Screening Criteria” [EU] 3 December 2020

[BSI](#): “New British Standard is first to tackle social value in organizations” 2 December 2020

[Lexology](#): “Indirect Risks Posed by Climate Change to Financial Institutions” 30 November 2020

[Lexology](#): “Switzerland Narrowly Rejects Novel ‘Responsible Business Initiative’ on Multinational Corporation Environmental- and Human Rights-Based Liability” 30 november 2020

[IISD](#): Kosolapova E “Harnessing the Power of Finance and Technology to Deliver Sustainable Development” 1 December 2020

[IISD](#) ENB: 59th GEF Council Meeting, GEF Council Consultation Meetings with CSOs, and 29th LDCF/SCCF Council Meeting | 4 and 7-11 December 2020 | Online

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa MPU: Unpacking the proposed changes to the EIA Regs

Date: 7 December 2020

Time: 11h00 - 12h00 via Zoom

Presented by [Janice Tooley](#)

Please Register at the [link](#)

Wits Mandela Institute Webinar - Mining Communities who say 'No': Hostage-takers, Victims or Agents of Transformative Change?

Date: 9 December 2020

[Registration](#) and more information

Advancing Environmental Assessment in Africa Featuring the launch of the DBSA Handbook on Environmental Assessment Legislation in Sub-Saharan Africa, 4th Edition

Webinar co-hosted by the Sustainable Banking Network (SBN) and the Development Bank of South Africa (DBSA)

Thursday, December 10, 2020

7 AM-8:30 AM EST ([View in your time zone](#))

[Registration](#) by 7 December 2020

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

CBSS Training Courses in Water Governance scheduled for 2021

- [9 – 11 February 2021, in Pretoria](#)

Registration closes 19 January 2021

Early Bird payment discount applicable until 29 December 2020

Refresher: 11 February 2021

Only EIGHT (8) seats still available

- [9 - 11 March 2021, near Stellenbosch](#)

Registration closes 8 February 2021

Early bird payment discount applicable until 26 January 2021

Refresher: 11 March 2021

Twelve (12) seats still available

Other venues can be arranged, depending on sufficient numbers – contact [Carin](#) for more details

Discounts are available for Early Bird payments, bona fide students, WISA-members, and group registrations.

Register [here](#).

International

The Technical University of Dresden and the Boysen Research Training Group: 1st Mobility in Transition Summer School for Master students, PhD students and young professionals

Date: 19-23 July 2021

Place: Dresden, Germany

Applications are now open.

More [information](#)

Further information can be found on our website

UNESCO Online workshop Education for Sustainable Development and global health: Inter-linkage of the health of people and planet

Date: 9 December 2020

Time: 12:30 GMT+1 (Paris time)

[Registration](#)

NEWS

National

- **Biodiversity, protected areas, culture and animal rights**

Bega S “Dozens of birds and bats perish in extreme heat in KZN” [Mail & Guardian](#) 1 December 2020

Oosthuizen IB “Biodiversity is crucial for South Africa’s food security” [Mail & Guardian](#) 1 December 2020

“South Africa: Locust Outbreak Reported in Various Provinces” [allAfrica](#) 3 December 2020

- **Climate change and energy**

Harper P “Blast rocks Durban’s Engen refinery” [Mail & Guardian](#) 4 December 2020

Bega S “South Africa’s cities opt for clean energy” [Mail & Guardian](#) 30 November 2020

Bega S “Eskom could be fined R5-million over pollution at Kendal power station” [Mail & Guardian](#) 2 December 2020

“SA to review petroleum product supplies after Engen refinery shutdown” [IOL](#) 5 December 2020

Neves J “Saving tax, generating returns, creating jobs: Bright Light Solar – 12J investment offer” [Biznews](#) 6 December 2020

Harrabin R “Climate change: Lower Thames Crossing CO2 impact figures revealed” [BBC](#) 6 December 2020

“Celebrating a major climate victory: Court sets aside approval for Thabametsi coal power plant” [CER](#) 1 December 2020

- **Local government**

Isaac J and Damba-Hendrik N “What this municipality hadn’t done in years, Gift of the Givers did in just three days” [GroundUp](#) 4 December 2020

- **Water, oceans, waste and chemicals**

“AfriForum announces its blue and green drop report” [Polity](#) 30 November 2020

Mbovane T “In the midst of water restrictions, clean water gushes out of taps in Uitenhage” [GroundUp](#) 3 December 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Edwards R “Biofluorescent Australian mammals and marsupials take scientists by surprise in accidental discovery” [ABC News](#) 26 November 2020

Spring J and Paraguassu L “Deforestation in Brazil’s Amazon skyrockets to 12-year high under Bolsonaro” [Reuters](#) 30 November 2020

Nyamukondiwa W “Zimbabwe: Families Left Homeless” [allAfrica](#) 2 December 2020

Monti A “Trump administration moves to limit protections for migratory birds” [The Jurist](#) 1 December 2020

Ledger E “Revealed: How global financial giants invest in firm that makes medicines from endangered pangolin parts” [The Independent](#) 3 December 2020

Anderson K “Activists stage ‘mass trespass’ at Stonehenge to oppose government’s controversial £1.7bn tunnel” [The Independent](#) 5 December 2020

Anderson K “New £12m government fund for tree planting across England’s community forests” [The Independent](#) 6 December 2020

Cockburn H “Threat to billions of ash trees by deadly beetle could be thwarted as scientists identify protective genes” [The Independent](#) 4 December 2020

Carrington D “Global soils underpin life but future looks ‘bleak’, warns UN report” [The Guardian](#) 4 December 2020

- **Climate change and energy**

“Australia picks priority areas for new offset method development” [Carbon Pulse](#) 4 December 2020

McGrath M “Climate change: Temperature analysis shows UN goals ‘within reach’” [BBC](#) 2 December 2020

“UK campaigner wins court hearing in effort to price GHGs from incinerators” [Carbon Pulse](#) 1 December 2020

“Germany grants awards in oversubscribed first coal plant closure tender” [Carbon Pulse](#) 1 December 2020

Watts J “European states ordered to respond to youth activists’ climate lawsuit” [The Guardian](#) 30 November 2020 – read also [The Jurist](#)

Boffey D “Shell in court over claims it hampered fossil fuels phase-out” [The Guardian](#) 30 November 2020 – read also [The Jurist](#)

“Talks to finalise EU Climate Law expected to drag into next year –sources” [Carbon Pulse](#) 30 November 2020

“EU carbon market must include methane emissions from 2030 -NGO report” [Carbon Pulse](#) 30 November 2020

Chihaavi E “New Zealand parliament passes motion declaring climate emergency” [The Jurist](#) 5 December 2020

James L “World’s biggest iceberg captured crumbling by RAF cameras” [The Independent](#) 5 December 2020

Cockburn H “Climate crisis: Humans waging ‘suicidal’ war against natural world, UN secretary general warns” [The Independent](#) 2 December 2020

“France picks zone off Normandy coast for new 1GW windfarm” [Reuters](#) 5 December 2020

Ianucci E “WA implements new diesel standards” [Mining Weekly](#) 4 December 2020

Ianucci E “Appea report warns of gas reservation issues” [Mining Weekly](#) 4 December 2020

“Fall in energy efficiency investment threatens climate goals – IEA” [Engineering News](#) 3 December 2020

- **Local government**

Chege M “Africa rights court rules vagrancy laws inconsistent with African rights charters” [The Jurist](#) 5 December 2020

“Australia bushfire threatens township on World Heritage-listed Fraser island” [Reuters](#) 6 December 2020

Wehrmann B “Report criticises subway’s climate impact in Berlin as city’s newest line starts service” [Clean Energy Wire](#) 4 December 2020

- **Mining**

“Update 1-Denmark to end oil and gas hunt in North Sea in 2050” [Reuters](#) 4 December 2020

Gillet MT “Trump administration auctioning Alaska drilling rights before early January transition” [The Jurist](#) 5 December 2020

Boyle L “Bank of America joins all other big US banks and rules out financing Arctic drilling” [The Independent](#) 1 December 2020

Helm T and McKie R “UK urged to follow Denmark in ending North Sea oil and gas exploration” [The Guardian](#) 6 December 2020

Arnoldi M “Report finds mining companies prioritise community wellbeing over energy targets” [Mining Weekly](#) 3 December 2020

Webb M “Northern Dynasty to appeal Army Corp’s Pebble decision” [Mining Weekly](#) 3 December 2020

“Australian inquiry into sacred cave destruction seen recommending mining reforms” [Mining Weekly](#) 3 December 2020

- **Water, waste, oceans and chemicals**

Boyle L “State of Great Barrier Reef deemed ‘critical’ for first time along with dozens of the world’s natural wonders” [The Independent](#) 3 December 2020

Laville S “Police move in after Herefordshire river bulldozed and straightened” [The Guardian](#) 4 December 2020

McVeigh K “Auditors slam EU for 'marine protected areas' that fail to protect ocean” [The Guardian](#) 3 December 2020

[The Conversation](#): Moutain W “The world’s ocean is bearing the brunt of a changing climate. Explore its past and future in our new series” 6 December 2020

- **Miscellaneous**

“Statement on recent media coverage” [UNDP](#) 29 November 2020 [on corruption etc in GEF]

Williams K “Switzerland voters reject stricter corporate responsibility measures for protecting human rights, environment” [The Jurist](#) 1 December 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

Warburton Attorneys Inc: Candidate attorney 2021

Warburton Attorneys Inc currently has an opportunity available for an enthusiastic and motivated law graduate with a special interest in Environmental Law to begin articles of clerkship in February 2021.

Preference will be given to historically disadvantaged individuals who have completed their Bachelor of Laws (LLB) and Master of Laws in Environmental Law (LLM) degrees.

For more information visit the [website](#). [Email](#) a detailed CV and letter of motivation.

University of Venda: Executive Dean Management Sciences and Law

Closing date: 8 January 2020

More [information](#)

Free State Centre for Human Rights: Post-doctoral Research Fellowship (4x)

Closing date: 8 January 2020

More [information](#)

Mancosa KwaZulu Natal: Teaching and Learning Coordinator

More [information](#)

North-West University and University of Fort Hare: NWO-NRF Project Water-Energy-Food Nexus: Postgraduate (M&D) and Post-doctoral bursaries

Closing date: 20 January 2020

Contact [Willemien du Plessis](#) (NWU) or Prof [Leocadia Zhou](#) (UFH)

International

University of Leeds School of Law United Kingdom

[Head of the School of Law](#)

VU University of Amsterdam Department of Environmental Economics

[Post Doc in Food Sustainability](#)

**Manager Climate Action, Sustainable Business Council –
Auckland/Wellington**

More [information](#)

[Senior Lecturer in Law](#)

University of Adelaide Adelaide Law School

[Postdoctoral Research Fellow in Law](#)

University of New South Wales Faculty of Law

[Senior Research Fellow in Technology and Law](#)

Catholic University of Leuven Faculty of Law

[Doctoral Fellow in Conflict and Development Studies](#)

Ghent University Department of Conflict and Development Studies

[Assistant / Associate / Full Professor in Law](#)

York University Osgoode Hall Law School Law

[PhD Scholarships in Law](#)

University of Copenhagen Faculty of Law

[Research Associate in Law and Economics](#)

University of Hamburg Faculty of Law, Institute of Law and Economics

[Research Assistant in Law](#)

University of Hong Kong Department of Law

[Academic Fellow in Law](#)

University of Hong Kong Department of Law

[Postdoctoral Fellow in Law](#)

University of Hong Kong Faculty of Law

[Post Doc in Food Sustainability](#)

VU University of Amsterdam Department of Environmental Economics

[PhD Research Fellow in Law](#)

University of Oslo Scandinavian Institute of Maritime Law

[Faculty Position in Law](#)

Singapore Management University School of Law

[Associate / Full Professor in Law](#)

University of Dubai

[Research Associate/Fellow in Sustainable Ecosystems and Society](#)

University of Nottingham

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 50

11 December 2020

Level 1 Lockdown

The precautionary principle still applies! The virus is not going anywhere! Actually the numbers of infected persons are alarmingly increasing in some of our provinces, especially in the Eastern Cape that is now declared a hotspot.

Keep safe and keep contact via Facebook and the website.

BILLS

Preservation and Development of Agricultural Land Bill: Preservation and Development of Agricultural Land Bill, 2020 – GN 1338 in GG 43990 of 11 December 2020 - Explanatory summary

ACTS

Traditional and Khoi-San Leadership Act – Proc 38 in GG 43981 of 11 December 2020 – commencement 1 April 2021

LEGISLATION

NOTICES

National Environmental Management: Biodiversity Act 10 of 2004 – Gen Not 726 in GG 43981 of 11 December 2020 - National Botanical Gardens Expansion Strategy 2019-2030

National Environmental Management: Biodiversity Act 10 of 2004 – Gen Not 725 in GG 43981 of 11 December 2020 - Intention to declare the Thohoyandou National Botanical Garden – for comment

National Environmental Management: Biodiversity Act 10 of 2004 – GN 1295 in GG 43971 of 7 December 2020 - Non-detriment findings in relation to *Aloe ferox*

National Forest Act 84 of 1998 – GN 1339 in GG 43992 of 11 December 2020 - Declaration of the Grey Dell and Fort Grey Forests Areas as a Natural Forest under Section 7 (2) of the Act

National Forest Act 84 of 1998 – GN 1340 in GG 43992 of 11 December 2020 - Declaration of the Grey Dell and Fort Grey Forests areas as a controlled forest area under section 17(2) and 7(2)

World Heritage Convention Act 49 of 1999 – Proc 37 in GG 43981 of 11 December 2020 - Proclamation of certain land in the Northern Cape to be the ‡Khomani Cultural Landscape World Heritage Site and to declare the management authority

Nuclear Energy Act 46 of 1999 – GN R 1304 in GG 43979 of 11 December 2020 - Regulations: Nuclear non-proliferation – for comment

National Energy Act 34 of 1998 – Gen Not 700 in GG 43972 of 11 December 2020 - Regulations: Mandatory display and submission of energy performance certificates for buildings

Electricity Act 41 of 1987, Gas Regulator Levies Act 75 of 2002 and the Petroleum Pipelines Levies Act 28 of 2004 – GN 1334 in GG 43983 of 11 December 2020 - Proposed Electricity licence fees and levies on the Piped-Gas and Petroleum Pipeline Industries for 2021/22 financial year

Competition Act 89 of 1998 - GN 1328 in GG 43981 of 11 December 2020 –Final Forestry Sector Impact Assessment Report

Competition Act 89 of 1998 – GN 1330 in GG 43981 of 11 December 2020 - Application for an exemption by various independent chrome ore producers: Comments invited

Standards Act 8 of 2008 – Gen Notice 710 in GG 43981 of 11 December 2020
Withdrawals – for comment

- SANS 10055-3 ISO 9001: 2000 Process auditing Part 3: Generic process performance model and work products - The standard is obsolete - 2020-01-31

New Standards

- SANS 61854:2020 Ed 1 Overhead lines – Requirements and tests for spacers. Applies to spacers for conductor bundles of overhead lines
- SATR 60076-26:2020 Ed 1 Power transformers - Part 26: Functional requirements of insulating liquids for use in power transformers. Serves as a general reference document for the transformer industry, including liquid suppliers as well as relevant scientific and technical bodies dealing with insulating liquids (materials)
- SANS 8528-8:2020 Ed 2 Reciprocating internal combustion engine driven alternating current generating sets - Part 8: Requirements and tests for low-power generating sets. Defines design requirements, minimum performances and type tests for lowpower generating sets driven by reciprocating internal combustion engines for land and marine use (domestic, recreational and industrial application), excluding generating sets used on aircraft.
- SANS 61400-25-2:2020 Ed 2 Wind turbines - Part 25-2: Communications for monitoring and control of wind power plants - Information models. Specifies the information model of devices and functions related to wind power plant applications, and specifies common attribute types and common data classes related to wind turbine applications.

- SANS 9308-2:2020 Ed 2 Water quality – Enumeration of Escherichia coli and coliform bacteria - Part 2: Most probable number method. Specifies a method for the enumeration of E.coli and coliform bacteria in water, based on the growth of the target organism in liquid medium and calculation of Most probable number (MPN) by reference to MPN tables. The method can be applied to all types of water.

PROVINCES

North West

Spatial Planning and Land Use Management Act (16/2013) – Gen Notice 102 in PG 8168 of 8 December 2020 - Tswaing Local Municipal Council - Tswaing Land Use Scheme, 2020

Limpopo

Makhado Municipality Spatial Planning, Land Development and Land Use Management By-law, 2016: Notice of application for Land Development in a Communal Land – PN 82 in PG 3127 of 11 December 2020

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – PG Extraordinary 8365 of 11 December 2020 - Bergrivier Municipality - Bergrivier Municipality: By-law on Municipal Land Use Planning, 2020

Constitution of the Republic of South Africa, 1996 - [PG](#) Extraordinary 8367 of 11 December 2020 - Western Cape Land Use Planning Amendment Bill [B 6–2020] – for comment

CASES

National

Bokoni Platinum Mines v Moropane (1035/2019) [2020] [ZASCA](#) 168 (11 December 2020)

[2] In 2013 Bokoni Platinum Mines (Pty) Ltd (Bokoni), the appellant, decided to commence mining activities on Klipfontein Farm. Pursuant thereto, Bokoni concluded separate agreements with various members of the community (the farmers) who were farming small plots of mielies on the land in question. Bokoni was to pay each subsistence farmer amounts of R18 000 over three years, totalling R54 000. These agreements spawned lengthy and costly litigation over a period of years. More than a hundred farmers issued summons against Bokoni out of the Praktiseer Magistrates Court seeking to vindicate their rights in term of their agreements. The same attorney represents all the farmers and the pleadings are substantially identical. There are over a hundred actions which have been consolidated, but for present purposes it is only necessary to deal with the claim of one of the farmers, the respondent, Mr Abraham Moropane.

[3] The issue purportedly before this Court is whether the judgment of Magistrate Malebane, of 13 March 2017, which dismissed Bokoni's application for leave to amend its plea and counterclaim, was res judicata. If so, was it permissible for res judicata to be raised mero motu by the full bench of the Limpopo Polokwane High Court (the high court)? The high court, having raised the issue, found that the matter was res judicata and dismissed the application for leave to amend on this basis. It also refused leave to appeal. The appeal comes before this Court upon Bokoni successfully petitioning for leave to appeal.

Twizza (Proprietary) Limited and Others v Enoch Mgijima Local Municipality and Others (3413/2018) [2020] [ZAECGHC](#) 144 (8 December 2020)

Non-payment of electricity bill by municipality – agreement to pay Eskom – order of court – non-compliance – contempt of court – sentences

Tayob and Another v Shiva Uranium (Pty) Ltd and Others (336/2019) [2020] [ZASCA](#) 162 (8 December 2020)

“Summary: Company law – business rescue supervision under Companies Act 71 of 2008 – business rescue practitioner appointed by board of company in terms of s 129(3)(b) – resignation of practitioner – board's power to appoint substitute under s 139(3) not subject to authority or approval of practitioner.

Hume v Minister of Environmental Affairs of the Republic of South Africa (80690/2019) [2020] [ZAGPPHC](#) 711 (2 December 2020)

“The applicant seeks an order directing the respondent to consider the applicant's appeal against the decision of the Director: Biodiversity Management in the Department of Rural Environment and Agricultural Development: North West Provincial Government to refuse the applicant's application for export permit in terms of the National Environment: Biodiversity Act, 2004, Act No: 10 of 2004, ("the Act") to export eleven (11) Rhinoceroses to Vietnam.”

Knoop and Another NNO v Gupta (Tayob Intervening) (116/2020) [2020] [ZASCA](#) 163 (9 December 2020)

“Summary: Removal of business rescue practitioners – s 139(2) of Companies Act 71 of 2008 – grounds – whether grounds for their removal established.”

Chris Hani Municipality v HJT Transport Mining Civils (Pty) Limited (1379/2020) [2020] [ZAECGHC](#) 130 (24 November 2020)

Occupation of land while apply for continuation of mining permit

PUBLICATIONS

International

OECD “Guiding Principles for Durable Extractive Contracts” ([OECD](#) 2019) (apparently approved in December 2020 – Peter Leon at Wits Webinar, see below)

Webb RM, Panfil M and Ladin S “Climate Risk in the Electricity Sector: Legal Obligations to Advance Climate Resilience Planning by Electric Utilities” (Columbia Law School [Report](#) December 2020)

Pinsky ML *et al* “Ocean planning for species on the move provides substantial benefits and requires few trade-offs” 2020 6(50) [Science Advances](#) DOI: 10.1126/sciadv.abb8428

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[Daily Maverick](#): Saunders C “Unregulated international trade in reptiles threatens South Africa’s vulnerable species” 10 December 2020

[Bizcommunity](#): Janion-Scheepers C “Food and clean water start with soil biodiversity: Learning more about it is urgent” 10 December 2020

[allAfrica](#): Xolo N and Cronje M “South Africa: Lake Fishers Fight to Maintain Subsistence Catch” 10 December 2020

- **Climate change and energy**

[TimesLive](#): Bosch E “Watch | Eskom to be paid back R1.6bn by contractor for ‘over-payments’” 12 December 2020

[BusinessLive](#): “Watch: Financing a ‘just energy’ transition” 10 December 2020

[Biznews](#): Cameron J “Inside Investing: How to generate double-digit returns in SA in sustainable, renewable energy – 12J investment opportunity” 11 December 2020

[Bizcommunity](#): Giliam A “We can shape the climate future we want” 10 December 2020

[The Conversation](#): Leonard L “Oil refinery blast is one more reason South Africa should take industrial risks seriously” 11 December 2020

[Engineering News](#): Creamer T “South Africa’s renewables plan presents ‘remarkable’ industrialisation opportunity” 11 December 2020

[Engineering News](#): Creamer T “South Africa’s biggest power shift in over a generation holds big promise, and some risk” 11 December 2020

- **Local government**

[Daily Maverick](#): Van Niekerk D “Turning Joburg’s inner city into a network of walkable routes” 11 December 2020

[Daily Maverick](#): Evangelinos T “How we changed Cape Town’s inner city from a ghost town to a thriving CBD” 10 December 2020

[TimesLive](#): Nombembe P “Cape Town beaches might disappear as rising sea levels threaten coastal tourism, study finds” 12 December 2020

[Bizcommunity](#): Ackhurst M “Vertical sea-wall structures continue to protect our coastlines from the impact of climate change” 11 December 2020

- **Mining**

Wits Mandela Institute [Webinar](#): Webinar on Mining Communities who Say ‘No’: Hostage-takers, Victims or Agents of Transformative Change? 9 December 2020

[BusinessLive](#): “Watch: Why mining production remains subdued” 11 December 2020

[Bizcommunity](#): “Human rights should be central to the extractive industry's Covid-19 recovery plans” 10 December 2020

[Mining Weekly](#): Creamer T “Steps South Africa needs to take to attract global exploration investment” 10 December 2020

- **Water, waste, oceans and chemicals**

[Mail & Guardian](#): Bega S “Pesticide lobby in sly bid to self-licence” 10 December 2020

[Engineering News](#): Burger S “Six ecosystem research sites selected for freshwater and terrestrial environmental observation network” 11 December 2020

- **Miscellaneous**

[Daily Maverick](#): Smillie S “Lessons from pandemics of the past” 10 December 2020

[Mail & Guardian](#): Mathe T “Assets, wealth revolution on the go” 11 December 2020

[News24](#): Sumner M “Following a t-shirt from cotton field to landfill shows the true cost of fast fashion” 9 December 2020

Africa

- **Biodiversity, protected areas and culture**

[allAfrica](#): Tilahun T “Ethiopia: Developing Parks, Forests to Promote Local Tourism” 10 December 2020

[allAfrica](#): Grobler J “Namibia to Sell Wild Elephants” 10 December 2020

[allAfrica](#): “Zimbabwe: 'Curb Rampant Poaching of Firewood in Matabeleland North'” 7 December 2020

[allAfrica](#): Ezeobi C “Africa: Hon. Oluwabunmi Amao - Championing the Revival of Africa's Rich Cultural Heritage” 11 December 2020

- **Climate change and energy**

[Lexology](#): Fasken “Africa Rising - Special Report on the Continent's Energy Future” 1 December 2020

[allAfrica](#): Turianskyi Y and Van Wyk J-A “Africa: 'Atoms 4 Development' In Africa - Experts Weigh In” 11 December 2020

[allAfrica](#): “Africa: Climate-Fuelled La Niña in East Africa Will Drive Millions Into Hunger” 11 December 2020

[allAfrica](#): Chaves D “Africa: The World's Most Urgent Mission” 10 December 2020

[allAfrica](#): “Africa: Green Pandemic Recovery Essential to Close Climate Action Gap - UN Report” 9 December 2020

- **Local government**

[Bizcommunity](#): “Kenya builds its way to 2030 goals” 11 December 2020

[allAfrica](#): “Tanzania: Belgium Commits to End Water Access Woes in Kigoma” 10 December 2020

- **Mining**

[Extractives Baraza](#): “Uganda: Oil Pipeline Gets Nod from NEMA” 8 December 2020

[Extractives Baraza](#): “Zimbabwe Losing Millions from Illicit Gold Mining Trade” 8 December 2020

- **Water, oceans, waste and chemicals**

[allAfrica](#): Geere J-A “Africa: Safe Drinking Water Should Mean Safe Collection Too - How to Reduce the Risks” 10 December 2020

[allAfrica](#): Verhoeven H “East Africa: Do As I Do, Not As I Say - Unpacking the False Premises of the GERD Negotiations” 10 December 2020

[allAfrica](#): Simasiku O “Namibia: Govt to Upgrade Northern Water System” 11 December 2020

- **Miscellaneous**

[Natural Justice](#): Changwony W, Masinde D and Ngachi S “The Curse of Compulsory Land Acquisition in Lamu, Kenya” 10 December 2020

[allAfrica](#): Matazu HK “Africa Should Struggle to Address Its Own Challenges - Tanzanian Ambassador” 12 December 2020

[allAfrica](#): “Africa: Illicit Financial Flows Threaten Security and Stability in Africa - UN Deputy Chief” 10 December 2020

[The Conversation](#): Daba T “Why a new potato variety could be a game-changer for farmers in East Africa” 9 December 2020

International

- **Biodiversity, animal rights, national parks and culture**

[Nature](#): Libonati R “Rescue Brazil’s burning Pantanal wetlands” 8 December 2020

[IISD](#) SDG Knowledge Hub: “UNCTAD Updates BioTrade [Principles](#) and Criteria to Restore, Promote Biodiversity” 7 December 2020

[Science](#): Pennisi E “Tasmanian devils claw their way back from extinction” 10 December 2020

- **Climate change and energy**

Asian Development Bank: Launch of Asian and Pacific focused 4-part report series on climate law and policy: <https://www.adb.org/publications/series/climate-change-coming-to-court>. The four reports cover:

1. [Report series purpose and introduction to the basics of climate change science for judges and lawyers](#)
2. [Climate litigation in Asia, the Pacific, and beyond](#)
3. [National climate law and policy frameworks in Asia and the Pacific](#)
4. [International climate law frameworks, with a focus on Asian and Pacific instruments](#)

[Nature](#): Peng W “Trade-offs for equitable climate policy assessed” 9 December 2020

[Institute](#) for Carbon Removal Law and Policy: Nicholson S, Burns W and Morrow D “United Airlines is Investing in Direct Air Capture, What Does That Mean?” 11 December 2020

[Lexology](#): “UK Government puts green finance at heart of future of UK financial services” 10 December 2020

[Lexology](#): “Federal and provincial battles continue over climate change regulation” [Canada] 8 December 2020

[Lexology](#): “Court Upholds Private NGO Settlement Agreement That Supplements Federal Consent Decree” 8 December 2020

[Lexology](#): “International Climate Change Litigation” 8 December 2020

[IISD](#) ENB: Luomi M “Global Climate Change Governance: The search for effectiveness and universality” 8 December 2020

[Carbon Pulse](#): Deynoot CG “Comment: From 40% to 55% – what does the EU’s new emissions target mean for companies?” 11 December 2020

[The Guardian](#): Harvey F “Rebound in carbon emissions expected in 2021 after fall caused by Covid” 11 December 2020

[Climate Home News](#): Skelton A *et al* “10 myths about net zero targets and carbon offsetting, busted” 11 December 2020

[Lexology](#): “Québec Puts the Climate First in Redefined Green Plan” 4 December 2020

[IISD](#) SDG Knowledge Hub: “Climate Dialogues Keep Parties Focused on Climate Challenges” 7 December 2020

IISD SDG Knowledge Hub: “WRI [Report](#) Assesses Progress, Opportunities to Align Emissions Trajectories with 1.5°C” 7 December 2020

[The Independent](#): Dunne D “‘1.5C to stay alive’: Is the Paris Agreement’s most optimistic climate target still within reach?” 12 December 2020

[Lexology](#): “Climate change litigation and COVID-19: a fresh understanding of climate risk” 8 December 2020

[Science](#): Cornwall W “The Paris climate pact is 5 years old. Is it working?” 11 December 2020

- **Environmental enforcement**

Data for Progress and the Institute for Collaborative Justice on asthma, air pollution, and environmental justice is now [available](#).

[Lexology](#): “Is your project eligible for ‘fast-tracking’? Federal and State ‘fast-tracking’ of environmental legislation for Covid-19 economic recovery” [Australia] 9 December 2020

[Lexology](#): “Australia revises down GHG projections, set to overachieve on Paris target” 10 December 2020

[Berkeley Law](#): “Reversing Environmental Rollbacks” 9 December 2020

[Lexology](#): “Environmental Permitting and Flood Risk Activity” 8 December 2020

- **Local government**

[IISD](#) SDG Knowledge Hub: “City of Bristol, UK, Identifies Local Governance Model for Sustainable Change” 9 December 2020

[IISD](#) SDG Knowledge Hub: “Winnipeg, Canada Reports on Local Impacts from COVID-19 and Indicators to Watch” 9 December 2020

[IISD](#) SDG Knowledge Hub: “Climate Smart Villages: Learning to Adapt to Climate Change Contextually” 9 December 2020

[ICLEI](#): “Launch of Glasgow Food and Climate Declaration puts food systems and local actors at the forefront of climate action” 9 December 2020

[ICLEI](#) City Talk: Guenard M “Why we need circular food systems and what cities can do about it” 7 December 2020

[ICLEI](#): “Food and the city: A three-part reflection on indigenous foods and their interactions with the city” December 2020

ICLEI City Talk: Bizzotto M “Tackling sustainability, food, and social inequalities: A roadmap from industrial legacy cities” 7 December 2020

Thomas Reuters [Foundation](#): “‘I know your favourite drink’: Chinese smart city to put AI in charge” 3 December 2020

Thomas Reuters [Foundation](#): Biron CL “U.S. mayors ‘bleak’ about recovery from pandemic’s effects” 3 December 2020

Thomas Reuters [Foundation](#): Chandran R “Pakistan project wins award for shielding villages from natural disasters” 3 December 2020

Thomas Reuters [Foundation](#): Mohd Sharif M “Opinion: How cities can build a healthier future for all” 8 December 2020

- **Mining**

[Lexology](#): “Green and Sustainability Linked Loans in a Mining Context” 30 November 2020

- **Water, oceans, waste and chemicals**

[Getches-Wilkenson Centre](#): "Water Exports and the San Luis Valley in Colorado: Understanding the History and Current Regulatory Framework" 8 December 2020

[Lexology](#): "'Storm Water" or "Stormwater" - The Musings of an Isolated Mind" [USA] 18 November 2020

[Lexology](#): "European Chemicals Agency SCIP Database is launched and ready for use" 3 December 2020

[IISD](#) SDG Knowledge Hub: "Chemicals and Waste Declaration Discussions Focus on Structure, Key Elements" 7 December 2020

[Nature](#): Mashall M "How the first life on Earth survived its biggest threat — water" 9 December 2020

[Nature](#): Allison EH and Cho V "River conservation by an Indigenous community" 11 December 2020

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Bhandary RR, Luomi M and Allan J "How the G20 Can Bring the Global Commons Back to the Table" 9 December 2020

[IISD](#) SDG Knowledge Hub: "Brief Emphasizes Importance of Solidarity Among Major Polluters to Avert Catastrophe" 9 December 2020

[The Revelator](#): Mintz JA "Biden Can Restore the EPA, But It Will Require Steadfast Effort" 9 December 2020

[Nature](#): Stokstad E "Human 'stuff' now outweighs all life on Earth" 9 December 2020

[IISD](#) ENB: 59th GEF Council Meeting, GEF Council Consultation Meetings with CSOs, and 29th LDCF/SCCF Council Meeting | 4 and 7-11 December 2020 | Online

[Lexology](#): "The UK's National Infrastructure Strategy - Decarbonising the economy and adapting to climate change" 9 December 2020

[Lexology](#): "Environmental Considerations in Agricultural and Rural Property Transactions" [UK] 9 December 2020

Thomas Reuters [Foundation](#): Tabary Z "Europe space chief says exploration can propel interest in climate change" 3 December 2020

[Lexology](#): "Now is the time for Canadian companies to "do diligence" on their supply chains" [Canada] 7 December 2020

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

SBE2021: Sustainable Built Environments Focus on the Future – The Future is Now!

Invitation to Submit an Abstract and Register for SBE2021

When we started planning the SBE conference, we opted to address, inter alia, climate change, biodiversity, food security and disaster management. Covid-19 compels us to include how disasters like pandemics, for example, will impact on the social and built environment.

Date: 16 – 24 February 2021

More [information](#) or contact the conference organiser [Glaudin Kruger](#)

CBSS Training Courses in Water Governance scheduled for 2021

- [9 – 11 February 2021, in Pretoria](#)

Registration closes 19 January 2021

Early Bird payment discount applicable until 29 December 2020

Refresher: 11 February 2021

Only EIGHT (8) seats still available

- [9 - 11 March 2021, near Stellenbosch](#)

Registration closes 8 February 2021

Early bird payment discount applicable until 26 January 2021

Refresher: 11 March 2021

Twelve (12) seats still available

Other venues can be arranged, depending on sufficient numbers – contact [Carin](#) for more details

Discounts are available for Early Bird payments, bona fide students, WISA-members, and group registrations.

Register [here](#).

International

The Environment, Energy and Natural Resources (EENR) Center at the University of Houston Law Energy Transition Governance Webinar Series: The Role of Supply Chain Management in Environmental Governance

Date: 17 December 2020

Time: 10:00 am CST

Register [here](#)

NEWS

National

- **Climate change and energy**

“Standard Bank won’t fund new coal power plants” [IOL](#) 11 December 2020

“Energy company Longyuan providing more than just power to Northern Cape communities” [IOL](#) 11 December 2020

Davies T “Gas won’t save SA’s economy” [IOL](#) 9 December 2020

“Ex-Eskom chair denies chief state capture specialist Brian Molefe was Gupta placement, says he was rarely skilled” [Biznews](#) 11 December 2020

“Amazon announces 26 new utility-scale wind, solar energy projects” [Bizcommunity](#) 11 December 2020

Creamer T “Hunt on for ‘tens of billions’ more, as ABB agrees to repay R1.56bn to settle corrupt Kusile contract” [Mining Weekly](#) 11 December 2020

- **Local government**

Bacon S “Call for Swartland municipality to investigate utility accounts” [GroundUp](#) 10 December 2020

Nomnganga S “Upington municipality breaks promise to protesters” [GroundUp](#) 10 December 2020

Dyongman L “Families abandoned to deadly asbestos risk” [GroundUp](#) 10 December 2020

Human L “High levels of E. coli in water from Milnerton waste plant, say activists” [GroundUp](#) 8 December 2020

- **Mining**

Yeld J “Diamond divers warn of damage to seabed from West Coast mining dams” [GroundUp](#) 9 December 2020

“ChromeSA welcomes negotiated electricity pricing concession” [Mining Weekly](#) 11 December 2020

- **Water, oceans, waste and chemicals**

Slater D “Cape Town pair develop water importance initiative” [Engineering News](#) 11 December 2020

- **Miscellaneous**

Reddy M “Update: Sars freezes R2.8-billion from Chinese rail company that paid Gupta kickbacks” [amaBhungane](#) 9 December 2020

Comrie S “McKinsey capitulates (again), will pay back Transnet and SAA R640m” [amaBhungane](#) 9 December 2020

West E “Construction sector shows ‘remarkable’ recovery” [IOL](#) 11 December 2020

International

- **Biodiversity, protected areas, animal rights and culture**

Wood V “Brexit news – live: Tory anger mounts over ‘undignified’ no-deal plan to deploy Navy in Channel” [The Independent](#) 12 December 2020

“Hibernating lizards and snakes halt construction at Tesla ‘gigafactory’ in Berlin” [The Independent](#) 9 December 2020

Cockburn H “World’s ‘vital’ peatlands could shift from being key carbon sink to major source of greenhouse gas” [The Independent](#) 8 December 2020

Fritts R “Scientists cheered by bowhead whale recovery despite Arctic warming” [The Guardian](#) 12 December 2020

Garrison C “Monster iceberg’s 42-month journey towards wildlife island” [Reuters](#) 11 December 2020

“Blakeney Point little terns have best season in 26 years” [BBC](#) 12 December 2020

Stokstad E “In surprising sign of resilience, some corals can survive long heat waves” [Science](#) 8 December 2020

Joosse T “Human-sparked wildfires are more destructive than those caused by nature” [Science](#) 8 December 2020

- **Climate change and energy**

“EU negotiators clinch deal on €17.5 bln Just Transition Fund, excluding gas” [Carbon Pulse](#) 9 December 2020

“Brazil says can reach net zero by 2060, fails to lift NDC” [Carbon Pulse](#) 9 December 2020

“Genesis emissions pledge to dampen NZU demand” [Carbon Pulse](#) 9 December 2020

Chestney N “Emissions hit new record, put world on track for 3C warming - U.N.” [Reuters](#) 9 December 2020

Kelley A “Most states are below their greenhouse gas reduction goals: report” [Changing America](#) 8 December 2020

“EU leaders struggle to adopt higher 2030 climate target on first day of summit” [Carbon Pulse](#) 11 December 2020

“EU leaders adopt upgraded 2030 climate target of at least 55%” [Carbon Pulse](#) 11 December 2020

Shields B “UN defends excluding Morrison from climate summit, Canberra livid with Johnson over snub” [Sydney Morning Herald](#) 11 December 2020

Holder M “No country compliant with Paris Agreement climate goals, analysis warns” [Business Green](#) 7 December 2020

Anderson K “Climate summit – live: Boris Johnson urges UK to become ‘Saudi Arabia of wind power’ in key conference speech” [The Independent](#) 12 December 2020

Cockburn H “Climate crisis: November 2020 was world’s warmest on record” [The Independent](#) 7 December 2020

“Switzerland’s Paris pledge curbs offset reliance, targets imports” [Carbon Pulse](#) 10 December 2020

Keating C “BloombergNEF: Clean energy investment in emerging economies sputters during Covid-19 following record year” [Bloomberg](#) 10 December 2020

Taylor K “EU seeks competitive edge from green batteries” [EurActiv](#) 10 December 2020

Russel C “Column: China scores coal own goal as domestic, import prices surge” [Reuters](#) 7 December 2020

Volcovici V “Trump administration declines to tighten U.S. soot pollution standard” [Reuters](#) 7 December 2020

Williams K “EPA finalizes US soot pollution standards, preserves current regulations” [The Jurist](#) 7 December 2020

“Largo creates vertically integrated renewable energy storage provider” [Mining Weekly](#) 11 December 2020

Green M and Abnett K “Declare states of 'climate emergency,' U.N. chief tells world leaders” [Reuters](#) 11 December 2020

“EU confirms Brexit-adjusted carbon market permit removals for 2021” [Reuters](#) 12 December 2020

Appunn K and Wettengel J “EU leaders agree to raise 2030 climate target - German reactions” [Clean Energy Wire](#) 11 December 2020

- **Environmental enforcement**

Boyle L “‘Vulnerable to climate change so the rich can play golf’: An untouched island, a billionaire ‘environmentalist’ and a legal fight over a luxury resort” [The Independent](#) 12 December 2020

“Another milestone as criminal charges proceed against coal polluter Eskom” [CER](#) 7 December 2020

Reilly S “Trump’s new cost-benefit rule will curb EPA’s regulatory power” [Science](#) 9 December 2020

- **Local government**

Barboza T “L.A. began 2020 with a clean-air streak but ended with its worst smog in decades” [LA Times](#) 6 December 2020

Taylor M “Paris climate agreement: 54 cities on track to meet targets” [The Guardian](#) 11 December 2020

Green M “In boost to climate action, Britain to stop backing overseas oil and gas projects” [Reuters](#) 12 December 2020

“Communities and activists demand urgent plans for water provision from Eastern Cape authorities, or face court action” [CER](#) 10 December 2020

- **Mining**

Hookey A “Australia inquiry recommends Rio Tinto pay compensation for 'inexcusable' destruction of ancient Indigenous sacred site” [The Jurist](#) 11 December 2020

“Strife with indigenous groups could derail Ecuador's drive to be a mining power”
[Mining Weekly](#) 10 December 2020

Onstad E “Rare earth producers aim to agree global environment standards in 2021” [Reuters](#) 11 December 2020

- **Miscellaneous**

Braganza E “UK House of Lords votes to require human rights risk assessments in proposed trade deals” [The Jurist](#) 10 December 2020

Kumar MS “The Indian Farm Act 2020 and the Basic Structure Doctrine of the Indian Constitution” [The Jurist](#) 7 December 2020

VACANCIES, BURSARIES, FUNDING, OPPORTUNITIES, etc

National

WC Department of Environmental Affairs and Development Planning's (DEA&DP) Director Development Facilitation post

Closing date: 18 January 2020

More [information](#)

University of Venda: Executive Dean Management Sciences and Law

Closing date: 8 January 2020

More [information](#)

Free State Centre for Human Rights: Post-doctoral Research Fellowship (4x)

Closing date: 8 January 2020

More [information](#)

North-West University and University of Fort Hare: NWO-NRF Project Water-Energy-Food Nexus: Postgraduate (M&D) and Post-doctoral bursaries

Closing date: 20 January 2020

Contact [Willemien du Plessis](#) (NWU) or Prof [Leocadia Zhou](#) (UFH)

Pinsent Masons: Junior Projects Lawyer– Johannesburg

More [information](#)

General Manager: Commercial Legal (Digital and Fintech)

More [information](#)

IOM Internationale Organisation für Migration VN 2020 261 Project Coordinator (P3) Pretoria, South Africa

Closing date: 23 December 2020

More [information](#)

Candidate Attorney Durban

More [information](#)

**Thabo Mbeki African School of Public and International Affairs:
Professor/Associate Professor/Senior Lecturer: Study of Sustainable
Livelihoods and Resource Management**

More [information](#)

International

Switzerland: Phd, Postdoctoral and Research Fellowship

Closing date: 15 December 2020

More [information](#)

**Switzerland: Master of Advanced Studies in European and International
Governance (MEIG Programme) 2021-2022**

Closing date: 31 December 2020

More [information](#)

Hungary: Stipendium Hungaricum for South Africa 2021

Closing date: 31 January 2021

More [information](#)

France: France - South Africa Scholarship Programme – PhD and Masters

Closing date: 20 January 2020

More [information](#)

Sweden: Swedish Institute Scholarship for South Africa

Closing date: 15 January 2020

More [information](#)

**Sub-Saharan Africa: Germany – DAAD In-Region Scholarship Programme
(various disciplines)**

More [information](#)

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[*Legalbrief Environmental*](#)

and the

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

Discount available for ELA members.