

Severe Air pollution threatens people's health in Masakhane, South Africa

The informal settlement of Masakhane in Mpumalanga Province in South Africa is located less than 500 metres away from the coal-fired Duvha power station. This is one of 12 coal-fired power stations in the province owned by Eskom, a South African public utility. The population of Masakhane (estimated as around 4.016 in 2011) is highly affected by the pollution and environmental damage caused by the power station. Its 300 metres tall chimneys are among the highest structures in all of Africa and the nearby Duvha open pit mine, which is the largest in the Southern Hemisphere, supplies over 10 million tons of coal a year.

Before the mining and power station developments, families had access to and control over the land, even if they did not own it. Farming used to be the main source of livelihood for the black population of Masakhane (almost 99% of the population is black). Today, mining companies and investors own most of the land, and as a direct consequence people have lost a lot of their farming and grazing land. Some families have been pushed off their land with little to no compensation. Witbank, the closest city to Masakhane, is known to have the world's dirtiest air, worse than infamous metropolises like Beijing. Air pollution is caused by the release of toxic gases and dust, including mercury. The water in the area is contaminated by acid drainage from

the mines, while in many parts the land is degraded and infertile. It is no longer fit for farming, due to the use of contaminated water, toxic dust and mercury settling into the soil, and acid rain. Farmers are concerned that the contaminated water affects the milk production and fertility of their cattle. The pollution has caused increased poverty in households that do not have the income to buy nutritious food, which they formerly produced themselves. Their limited income is largely spent on health care. Food prices have moreover gone up as due to the loss of land and the pollution, very few farmers are actually producing. In 2014, 36.5% of the population of Mpumalanga province lived below the poverty line.¹

THE IMPACTS OF MINING ON WOMEN AND GIRLS²

While men and women both suffer from health problems due to the pollution caused by the mines, the overall impact of the mine development on women is exacerbated due to their weaker position in the homes and in society, where men traditionally take leadership positions. Women are expected to provide food for the household, however with the loss of land for agriculture most women

NOTE

¹ Socio-Economic Review & Outlook of Mpumalanga-December 2014. Republic of South Africa. Mpumalanga province, Finance.

are forced to look for alternative sources of income. Many women engage in illegal artisanal mining in the mine pits abandoned by mining companies, which is extremely dangerous. They are exposed to the toxins and dust without any protective gear and moreover risk falling into the acid sinkholes. Due to the water pollution women are forced to walk very long distances to fetch safe water for their families. An additional new burden for the women is taking care of the many sick people in their households. This unpaid care work takes away time from paid economic activities. Residents, and especially women, in Masakhane also suffer from the constant inhalation of fumes from the coals that they use for cooking. While the power cables run over their houses, most households cannot afford electricity.

There are other social problems that the mines have unleashed. The high rate of unemployment, lack of livelihood sources and increase in alcohol abuse are causing broken families, with an increase in single parent households, mainly run by women. Especially the younger women and girls increasingly engage in sex work to earn income. In 2012, Mpumalanga province recorded the second highest HIV prevalence rate among the female population aged 15–49 in the country at 35.6%. According to the people of Masakhane the increase in sex work is encouraged by the fact that the mines prefer to employ migrant labour from other towns, which has also led to an increase in unplanned pregnancies among teenage girls. Conflicts also exist between local communities and migrant workers as the latter are perceived to steal their jobs.

ACTION AGAINST NON-COMPLIANCE OF MINING COMPANIES AND UTILITIES

The 1996 Constitution of the Republic of South Africa is one of the best constitutions in Africa. It guarantees many basic human rights, including the right to a clean environment and ecologically sustainable development (Section 24) and the right to have access to sufficient food and water (section 27). South Africa has national acts and policies that back up these constitutional rights. However, most public utilities and mining

NOTE

² Most of the findings on the impact of women are taken from research commissioned by ActionAid South Africa under the Fair, Green and Global (FGG) programme.



► companies seriously fail to adhere to environmental laws, and even hardly live up to their own Corporate Social Responsibility commitments. One reason is the culture of 'engagement' between companies and regulators and the widespread view in the private sector that compliance with environmental laws is a matter of 'negotiation' with authorities. Another reason is that banks and financial institutions fail to conduct proper due diligence on mining projects, despite subscribing to the International Finance Corporation and World Bank global guidelines on responsible investment. Thirdly, the government's sense of responsibility is weakened because the Constitution stipulates that the State must take the *reasonable* steps it can afford to fulfilling people's rights – and reasonable clearly is a very elastic concept.

Our partner organisation ActionAid South Africa is working with the communities in Masakhane and with civil society organisations at local and national level to strengthen the position of the communities vis-à-vis the mining companies and to lobby for more transparency and better adherence to national laws that protect people's rights to a clean environment, water and food. Activities and results among others include:

ActionAid South Africa provides workshops, awareness raising campaigns and leadership trainings to mining-affected communities to support them in championing their rights. These activities have had positive effects. Communities have much better access to information awareness of their rights. They are

putting pressure on government and municipalities for service delivery through letters, memorandums, protest marches, media campaigns and petitions to the Minister of Mines and the President. Moreover, there is an increase in the number of women participating in advocacy and lobbying activities and they also increasingly take up leadership roles in the community movements. A change in attitudes is witnessed that allows women's voices to be heard.

ActionAid South Africa provides platforms for the building of community movements and solidarity with other networks that are also working on the issue of mining. The communities find support and exchange ideas and strategies under the umbrella organisations of the Mining Affected Communities United in Action (MACUA) and Women Affected by Mining United in Action (WAMUA). One important issue is how to make sure that mining companies implement their Social Development Plans (e.g. support to education). Today, the companies hardly share their CSR commitments and Social Development Plans with the community, which makes it difficult to hold the mines accountable and ensure delivery on their plans.

ActionAid South Africa organised a tour with journalists from Germany to raise international media attention for the problems caused by the power stations and mines in Mpumalanga province. The stories were published in both print and electronic media in Germany and a forum was created for ActionAid South Africa to interact, debate and build networks and solidarity with German civil society organisations.

ActionAid South Africa conducted several workshops at national level with partners working on mining issues (technical experts and lawyers, e.g. Lawyers for Human Rights, Legal Resources Centre, and Socio-Economic Rights Institute). They analyse the legal framework around mining and come up with proposals for amendments in support of communities, working towards greater public transparency and reporting on licences and compliance data and a comprehensive new system of administrative penalties for environmental violations. Focus is on the 2002 Mineral and Petroleum Resources Development Act (MPRDA), the 1998 National Environmental Management Act (NEMA) and the Republican Constitution. Community activists are invited to participate in these workshops.

Given the extreme pollution faced by the communities in Witbank, not only do the responsible polluters need to be held to greater account, also more efforts are required from the central government. If South Africa is serious about granting its people the Right to Food, Water and a Healthy Environment it can not let this situation go unaddressed.

This case summary is developed as part of the Upholding Human Rights: Bridging the Gender- Environment Divide project by ActionAid Netherlands, ActionAid Kenya, ActionAid South Africa, Both ENDS Netherlands (Project Coordinator), Centre for International Environmental Law (CIEL) based in Washington DC and Geneva, and India-based organisations Dhaatri (Adivasi Resource Centre for Women and Children) and Keystone Foundation.

See also

www.bothends.org/HRG

en: www.bothends.org/Upholding-human-rights

For more information about this case, visit ActionAid South Africa (www.actionaid.org/south-africa) or contact Arelys de Yáñez (arelys.deyanez@actionaid.org).

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