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Open Letter to the Department of Mineral Resources and Energy (DMRE) and Minister Gwede Mantashe

We as civil society organisations write this open letter to denounce Minister Mantashe and the DMRE's increasingly unjust, undemocratic, and autocratic practices in defence of a heavily polluting, corruption-laden, and extremely harmful energy and mining agenda.

From the 22nd to the 27th of September, thousands of people representing dozens of civil society organisations marched to DMRE offices, in every province across the country, under the banner #UprootTheDMRE. We set out a clear list of demands around transforming our archaic and harmful mining and energy sector to ensure a more socially, economically and environmentally just future.¹

Instead of responding to the demands or engaging in public debate, Minister Mantashe chose to try and repress the secretary of the Climate Justice Coalition - the coalition that organised the march. His lawyers sent a letter threatening to sue and demanding the coalition's secretary retract an article which lays out many of the reasons why the coalition marched.² Mantashe's lawyers demanded that the secretary take down the article, issue a public apology, and refrain from publishing about Minister Mantashe (or his family members).

The coalition secretary responded to Mantashe's lawyers, refusing their demands, and debunking their claims that the article is defamatory, untrue, and not in the public interest.³ What could be more in the public interest, than fixing our unjust, dysfunctional, and harmful mining and energy regime; or civil society holding a minister and a government department to account? What is against the public interest is Mantashe's legal letter. It effectively threatens a strategic lawsuit against public participation (SLAPP), which is intended to censor, intimidate, and silence critics. Such actions are not reflective of a minister open to democratic discourse or respectful of civil society's vital role in holding the state accountable.

We stand against this repressive tactic of trying to use the threat of legal suits to quash civil society voices and protect the powerful from scrutiny. It is an example of how the government and corporations are choosing time and time again to try to silence the voices of those who criticize them and hold them to account. Activists who resist harmful and polluting mining and energy projects in South Africa know too well that the price for doing so can often be their lives. Indeed, we remember Fikile Ntshangase, Bazooka Radebe and the many activists who have lost their lives for democratically standing up for a better future for their communities and for all.

¹The list of demands is available at <https://uprootthedmre.org/#demands>

² The *offending article* is "Should Gwede Mantashe Step Down as Energy Minister", by Alex Lenferna, *New Frame*: <https://www.newframe.com/should-gwede-mantashe-step-down-as-energy-minister/>

³ A response to Mantashe's lawyers is available at this link: https://drive.google.com/file/d/1eUknVOCVawABYxazC6_tqkaDNR3-caSv/view?usp=sharing

Mantashe is not alone in his disregard for civil society and community voices. It is a culture prevalent throughout the department he runs. For example, the DMRE promised to respond within seven days of the nationwide protests during the week of September 22nd. Well over a month later we have heard nothing. This is their repeated pattern: ignoring civil society and community voices and giving no meaningful engagement despite years and years of repeated protest, demonstration and petition.

Mantashe's media liaison also accused the coalition behind the march of being a "cabal trying to plunge the country into darkness". Such a statement is quite ironic, given that he speaks on behalf of a department and minister largely responsible for plunging us repeatedly into darkness through loadshedding. Such dismissiveness also reflects disdain for the mining affected communities, civil society and trade union organisations who organised the protests across the country as part of our vital democratic practice of demanding a better future from our government. If anyone operates like a cabal, it is arguably the DMRE who often works behind closed doors with corporations to push forward polluting projects over the resistance of and without the free, prior and informed consent of communities and civil society.

For example, just the week after the #UprootTheDMRE protests, the DMRE hosted a conference in Limpopo, which they only announced to the public the night before. Community and civil society representatives were not invited, whereas corporations and industry were. At that conference, Mantashe and the DMRE invited coal, oil and gas industries to invest in South Africa. In doing so, they once again ignored the voices of communities who are impacted by these polluting projects and who are demanding no more. They also ignored the reality of the climate crisis, which requires that we should not be investing in new fossil fuels, but instead rapidly transitioning to renewable energy.

Ironically, the DMRE had recently declared as "fake news", a clearly satirical video which parodied the fact that the department was selling out our country to harmful, polluting and corrupt corporations despite the protest of civil society and communities.⁴ Yet, the industry exclusive conference seemed to reflect exactly what the video was satirising - a department that prioritises corporate interests over the interest of people and the planet. Seeming not to understand how the right to freedom of speech includes political satire, Mantashe's media liaison declared the satire a "criminal activity" and threatened the producers with the line that "you'll ought to know what's coming your way" [sic].⁵

Despite Minister Mantashe and the DMRE's undemocratic and increasingly autocratic actions, we as civil society will not back down. We will not be intimidated. We will not be silenced. We will not forsake our vital, democratic responsibility to hold our government and the powerful accountable. Minister Mantashe and the DMRE are failing in their responsibilities to the people of South Africa and it is up to us to hold them to account. They are driving forward a heavily polluting, extremely harmful, and dysfunctional energy and mining agenda. In the face of this deep injustice, we will continue to call for the DMRE to be transformed to ensure a more socially, economically and environmentally just future.

⁴ Politically Awesh, LEAKED! South African Energy Department Fossil Fuel Ad ft. Siv Ngesi
https://www.youtube.com/watch?v=R1GT1_L1P0E

⁵ <https://twitter.com/DavidNathi/status/1437672231795138568>

We reiterate and stand by our demands that:

- The leadership and structure of the DMRE must be transformed to fulfil a mandate for an inclusive socially, economically, and ecologically just energy and mining future. Mantashe must step aside to allow new progressive leadership.
- A rapid and just transition to a more socially owned, renewable energy powered economy, providing clean, safe, and affordable energy for all, with no worker and community left behind in the transition
- No to new polluting, corrupt and expensive coal, oil, and gas projects. We demand One Million Climate Jobs instead. Reject the corrupt, costly and unnecessary powership program, and investigate officials within the department around irregular deals.
- Communities must have the right to say no to mining projects, that includes free, prior informed consent, the upholding of social labour plans, and the right to sustainable alternative modes of development.
- Minister Mantashe and the DMRE must stop blocking and inhibiting Eskom's transition to renewables. We need a Green New Eskom driving a just transition to a more socially owned, renewable energy future.

Resolutely,

The undersigned organisations:

350Africa.org
Project 90 by 2030
Just Share
P.S. Atkins & Associates
Human Rights Media Trust
Fossil Free South Africa
Climate Justice Charter Movement
South Durban Community Environmental Alliance
Alternative Information & Development Centre (AIDC)
C19 Peoples Coalition
Waterberg Women Advocacy Organization
African Climate Reality Project
Botsotso
Africa Check
Marikana youth development organisation
DIRECT Democracy Forum
Support Centre for Land Change (SCLC)
Tshwaragana Ma Afrika (Macua/Wamua)
Batlhabine Foundation
Southern African Faith Communities Environment Institute
Extinction Rebellion Nelson Mandela Bay
Centre for Applied Legal Studies
Extinction Rebellion South Africa
Project 90 by 2030
MACODEFO

Ocean's Not Oil
Greenpeace Africa
Life After Coal Campaign
Middelburg Environmental Justice Network