



## PROGRAMME

### Environmental Rights Lunch Series

Since 2015, supported by the Konrad Adenauer Foundation, the Centre for Environmental Rights has been hosting a series of seminars where local experts can share their knowledge and experience on compelling environmental governance and environmental rights issues. This seminar is focused on the enormous challenge of mine closure and rehabilitation of environmental impacts after mining has ended.

### Seminar Topic: Mine Closure & Rehabilitation: From Dereliction to Accountability?

5 May 2016, 10:00-13:00

Sunnyside Park Hotel, Princess of Wales Terrace, Parktown, Johannesburg

Ensuring that the environmental damage caused by mining is rehabilitated to the extent that – at best - other land use is possible, and – at worst – does not pose an ongoing threat to the environment and safety of affected communities, is an enormous and perpetual challenge in South Africa. Past failures to ensure adequate rehabilitation and closure, often complicated by insolvency, have not only resulted in vast environmental challenges like acid mine drainage, but has also facilitated the recent human tragedies associated with unregulated artisanal mining.

Why do we not see enforcement of historical liability of mining companies and directors? What steps can be taken to prevent disaster in mines just closed, like the notorious Blyvooruitzicht Mine, or on the cusp of closing, particularly in the current economic climate in South Africa? And looking ahead, will the *Regulations pertaining to Financial Provision for Prospecting, Exploration, Mining or Production Operations* recently published under the National Environmental Management Act start to secure adequate financial provision for rehabilitation and closure of existing and new mines?

### Programme

- 10:00 Welcome & Introductions by the chair, Catherine Horsfield, CER
- 10:10 Presentations by Prof Tracy Humby, Wits School of Law and Prof Caroline Digby, Wits Centre for Sustainable Mining and Director of Wits Centre for Sustainability in Mining and Industry, and Dee Fischer, Chief Director: Integrated Environmental Management, Department of Environmental Affairs
- 12:30 Questions and discussion
- 13:00 Finger lunch

### Our speakers

**Prof. Caroline Digby** joined the University of the Witwatersrand, Johannesburg as the Director of the Centre for Sustainability in Mining and Industry (CSMI), in 2014. The centre focuses on promoting responsible mining across Africa through research, training and dialogue. A development economist by training, Caroline has worked in the field of sustainability, mining and post-mining regeneration for over twenty years. Prior to Wits, she was Sustainability Director at the Eden Project in the UK. She has held posts at the International Council on Mining and Metals, the International Institute for Environment and Development and consulting group CRU International. She is a graduate of Trinity College Dublin, University of British Columbia and the London School of Economics.



**Prof. Tracy Humby** is an associate professor at the School of Law where she has worked for the past 13 years. Tracy researches in the area of Mining and the Environment and has undertaken consultancy work for the International Council of Mining and Metals, the Water Research Commission, the Centre for Environmental Rights, the Open Society Foundation and Natural Justice. She is a member of the IUCN Academy of Environmental Law and a research associate of the SWOP Institute at Wits. Tracy is a lawyer by training with academic credentials in music and tertiary education teaching.

**Dee Fischer** is the Chief Director: Integrated Environmental Management in the Department of Environmental Affairs. In that capacity, she led the development of the new *Regulations pertaining to Financial Provision for Prospecting, Exploration, Mining or Production Operations* published under NEMA in 2015. Dee holds a Bachelor's degree in Architecture and an MSc in Environmental Management from the University of Johannesburg. Dee has extensive experience in the waste management field, and was instrumental in improving the health care risk waste management system while employed by the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs.

**Catherine Horsfield** was admitted as an attorney of the High Court in 1998. From 2002 to 2011 she practised as a partner in a litigation and commercial practice. Drawn to impact litigation in the public interest, Catherine resigned her partnership in late 2011, continuing to practise as a consultant until early 2012. She joined the Centre for Environmental Rights in February 2012 and heads the Centre's Mining Programme. The programme seeks to promote transparency, public participation, accountability and compliance with environmental laws and licences in the mining industry. Through more accountable and effective governance, and greater accountability of corporates, the programme seeks to address violations of environmental rights of mining-affected communities.

