



**CLIMATE
JUSTICE
CHARTER
MOVEMENT**

COPAC
CO-OPERATIVE AND POLICY ALTERNATIVE CENTER



Press statement:

Attention:

SAPS Station Commanders

Shamila Batohi, National Prosecuting Head

Climate Shocks, Flooding in KZN and the Loss of Innocent Lives

This is Not a Natural Disaster!

We are Charging the President, Ministers, Deputy Chairperson of the Presidential Climate Commission, Premier of KZN and Mayor of Ethekwini Metro with Culpable Homicide

The South African government has failed to take the climate crisis seriously and it must be held accountable for its dereliction of duty. The South African government has been part of the UN-COP and International Panel on Climate Change process since the early 1990s. Almost three decades later, not much has happened to protect South Africa from the worsening climate crisis. As a signatory to IPPC reports, the South African government signed off on the 2021 report *The Physical Science Basis of Climate Change* which affirms we are living in a world of climate extremes and urgent action is needed. The South African government also signed off on two reports released this year (AR6 Climate Change 2022: Impacts, Adaptation and Vulnerability in February 2022 and the Mitigation of Climate Change Report released in April 2022) which confirm the need for urgent climate emergency action. Yet the government has stood by.

There is a clear pattern of destructive and extreme weather patterns in KZN as a result of the climate crisis. La Nina induced droughts from 2014-to 2016 decimated livestock and crop farming across the province, leaving many subsistence farmers without food. In 2019 devastating floods and mudslides killed over 80 people including a 6-month-old baby, a tornado also had devastating impacts in the province and late last year and at the beginning of 2022, the province witnessed another devastating flood that caused severe destruction in towns such as Ladysmith which lead to a state of disaster.

The current 'flash flood' has tragically claimed the lives so far of 259 people including children, old people and shack dwellers. There are expectations that the death toll will go up given that many persons have still not been accounted for. This is worse than the Life Esidemeni tragedy in which 144 innocent people lost their lives because of negligent and unlawful government

action. Our heartfelt condolences go out to all the families and loved ones of those taken away by the flood. However, we are not dealing with a 'natural disaster' which could not be foreseen, given the urgencies and concerns raised by climate science and lived experience. If the South African government took its Paris Climate commitments seriously, heeded climate science and appreciated the pattern of extreme climate impacts in everyday life, the country would have been on a climate emergency footing a long time ago. We need climate justice for the victims of failed government leadership. The harms of this flood are the result of an uncaring, rotten, corrupt and failing government, at the national, provincial and local government levels. Instead of looting, mismanagement and fomenting violence, the ANC in power in KZN should have been using public money to upgrade infrastructure, provide homes, provide a lead in mitigation, adaptation and ultimately the deep just transition. Instead, it has brought great harm to the people.

There is also a history of the ANC government not listening to the climate justice movement and the warnings we have been giving about the worsening climate crisis.

In October 2018, together with over 60 allies, we called for an [emergency sitting of parliament](#) to deliberate on the significance of a 1.5C report of the UN-IPPC particularly what this would mean for vulnerabilities the country will face and the implications this has for climate policies. **The government ignored us. In April 2019** after the devastating floods in KZN, we called on the government to declare a [climate emergency](#) and develop a just transition plan for South Africa and address the multiple shocks that climate science warned are going to get worse. **Again, the government ignored us. In 2020** we called on the government to adopt the [Climate Justice Charter](#) , endorsed by 261 organisations, and to put the entire country on a climate emergency footing to deal with the devastating impacts of the climate crisis. We shared a [Climate Science Document](#) prepared by South Africa's leading climate scientists on the dangerous climate future we face and the need for action. We also shared a memorandum from communities with parliament wanting an end to hunger, thirst, pollution and climate harm. **We have been ignored.** We reiterated this call in 2021 when we gathered outside our parliament on 9 November 2021. **We were ignored again.** The ANC government refused to listen and South Africa does not have a just transition plan, it does not have a mitigation strategy to stop more coal, oil and gas extraction and use. In fact, it wants to do the opposite. Nor does it have an adaptation plan to deal with multiple climate crisis shocks. Mere disaster relief measures are just piece-meal and reactive, they will not work, the country needs to be on a climate emergency footing.

Instead of taking the climate crisis seriously and despite being aware of climate science, this government has pursued more gas, coal and oil investments. It is also wanting to invest in expensive and dangerous nuclear power. The ANC government pursued the gas amendment bill and the upstream petroleum development bill while neglecting to fulfil its bare minimal commitments to the Paris Climate Accord. In this context, the Presidential Climate Commission has been failing to address the real issue of a deep and just transition. It is just a smokescreen while the government continues on its destructive and ecocidal path. It is clear that unless we force the government to act, nothing will get done and innocent lives will continue to be lost.

We, therefore, call on climate justice activists across the country to lay criminal charges against President Cyril Ramaphosa, Minister of Energy and Mineral Resources Gwede Mantshe, Minister of Fisheries, Forestry and the Environment Barbara Creecy, Mohammed Valli Moosa who is the deputy chair of the Presidential Climate Commission (PCC), KZN Premier Sihle Zikala and Ethekewini Metro City Mayor, Mxolisi Kaunda, for culpable homicide related to those that have been killed during the flood. Culpable Homicide is the unlawful and negligent killing of another human being. We have a government that is breaking its own laws, commitments to the Paris Agreement and the constitution as it relates to our rights to a safe environment. We have a moral and constitutional duty to hold our leaders to account, in this regard we must not fail.

We want all climate justice activists and allies to go to police stations tomorrow, 14th April, at 11am.

Charles Simane and Awande Buthelezi will be leading CJC M activists – Johannesburg Central Police Station, 1 Commissioner St, Ferreiras Dorp, Johannesburg.

Janet Solomon will be leading #OceanNotOil and CJC M activists - Mayville SAPS - 145 Jan Smuts Highway.

We also demand a meeting with Shamila Batohi to discuss these charges.

Ends

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