



UBULUNGISA KWEZOLWANDLE

Incwadi yesiKhokelo yabaLobi abaKhasayo
abaFuna ubuLungisa ngakokuSingqongileyo
eMzantsi Afrika



Imibulelo

Le ncwadi yesikhokelo yintsebenziswano phakathi kwe **One Ocean Hub** kunye **neNatural Justice** (neQumrhu lezoBulungisa kwezeNdalo). Le projekthi ixhaswe ngemali yiOne Ocean Hub, inkqubo yophando ehlangeneyo yeprojekthi yophuhliso oluzinzileyo exhaswa yiUK Research and Innovation (UKRI) ngeGlobal Challenges Research Fund (GCRF) (Grant Ref: S008950/1).

Le ncwadana yesikhokelo ijolise ekuxhobiseni abalobi abakhasayo kunye noluntu olunobudlelane nolwandle ukuba lufune “ubulungisa kwezolwandle” eMzantsi Afrika – ukukhusela ulwandle kunye nayo yonke into ehlala kulo kwaye ixhomekeke kuyo, ukuthintela uguquguquko oluqhubekayo lwemozulu kunye nokuwohloka kwendalo, kunye nokukhuthaza ilifa labo lolwandle kunye nempilo yabo.

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Uluhlu lweenkcazelo zamagama

Eziphilayo ezahlukeneyo:

Ubomi obahlukeneyo eMhlabeni, nto leyo ethetha zonke iintlobo zezityalo, izilwanyana, kunye nezilwanyana ezincinci, iintlobo ngeentlobo zemfuza kwezi ntlobo. Izinto eziphilayo ezahlukeneyo ziquka izilwanyana nezityalo ezahlukeneyo emhlabeni, njengeentlango, amahlathi emvula kunye izityalo nezilwanyana zaphantsi kolwandle.

Uguquguquko lwemozulu:

Uguquguquko lwemozulu lutshintsho olubalulekileyo lwexesha elide kwiindlela eziqhelekileyo zemozulu ngenxa yotshintsho emoyeni. Isimo sezulu ibhekisa kwiimeko zexesha elifutshane, kwiindawo ezithile zemimandla yasemhlabeni, ngelixa imozulu ibhekisa kwiimeko zexesha elide zommandla okanye zehlabathi. Uguquguquko lwemozulu lumalunga neenguqu ezingaqhelekanga kwimozulu kunye nendlela ezi meko ezichaphazela ngayo umhlaba. Uguquguquko lwemozulu kubangelwa kukukhutshwa kweegesi ezibangela ungcoliseko ezibangelwa ngabantu ngaphezu komyinge umhlaba unokuhlangabezana nawo ngokwendalo. Igesi ezidala ungcoliseko (iICHG) ziquka i-carbon dioxide kunye nemethane.

INGcali yoVavanyo lokusiNgqongileyo:

Umntu oqeshwe ngumphuhlisi okanye inkampani ukuba aqhube (kuquka ucwangciso, ulawulo, ulungelelwano, okanye uphononongo) uvavanyo lwefuthe ngakokusingqongileyo, iinkqubo zolawulo lokusingqongileyo okanye naziphi na ezinye izixhobo ezifanelekileyo zokusingqongileyo.

Uphononongo:

Imisebenzi eyenziwayo, efana nokwenza uphando lwenyikima kunye nokomba amaqula, ukufumanisa ukuba kukho izimbiwa kunye namafutha, kuquka ioyile nerhasi.

Amafutha eefosili:

Amafutha eefosili aphuma kwimithombo engaphantsi komhlaba, aziwa ngokuba “ziifosili”. Njengoko imithi nezityalo zisifa, ziyaqhekeka zize zibe yifosili, zize zibe ngamafutha, irhasi namalahle. Le nkqubo ithatha izigidi zeminyaka. Ukutshiswa kwamafutha eefosili kukupha umoya ongcolileyo.

Ukukhutshwa komoya odala ungcoliseko:

Ukutshiswa kwamafutha eefosili, kunye nezinye izinto ezenziwa ngabantu, ezinjengokuqhuba iimoto kunye nokulima kukhulula iigesi kumoya woMhlaba. Irhasi iye ivaleleke emoyeni ekhokelela iphembelele ukwanda komoya odala ungcoliseko kubushushu bomhlaba.

Imithombo yeBhayoloji yeMveli:

EMzantsi Afrika, ubutyebi bebhayoloji bemveli bubandakanya nasiphi na isityalo esiphilayo okanye esifileyo, isilwanyana okanye nayiphi na enye into ephilayo ekhoyo, okanye eyayikho ngokwendalo kwindawo ekhululekileyo kwindalo ngaphakathi kwemida yoMzantsi

Afrika. Ibandakanya nayiphi na into ephuma kuyo kunye nemathiriyeli yemfuza yezityalo, izilwanyana okanye izinto eziphilayo. Abantu bomthonyama kunye noluntu lwengingqi bahlala bexhomekeke kule mithombo ukuze baziphilise, iimfuno zonyango kunye nezithethe zenkcubeko, ngokusekelwe kulwazi lwabo elingumthombo wemveli. Ukusetyenziswa kwale mithombo kulawulwa licandelo loLawulo lokusiNgqongileyo kuZwelonke: Umthetho ongeziPhilayo ezaHlukeneyo, uqinisekisa ukufikelela okuzinzileyo kunye nolondolozo, kunye nokukhuselwa kolwazi lwemveli olunxulumene nazo.

Iindawo zaseLwandle eziKhuselweyo:

Indawo yaseLwandle eKhuselweyo (MPA) ngummandla oselunxwemeni okanye oselwandle okhuselwe ngokukodwa ukuze kuxhamle abantu kunye nendalo. Zimiselwe ukulondolozisa izinto eziphilayo ezibalulekileyo kuloo mmandla, kunye nokunciphisa imisebenzi eyenziwa ngakuzo. Oku kukhokelela kumiselo lomda wokuloba, ukhenketho, kunye nokuhlola ioyile nerhasi, phakathi kwezinye izinto. EMzantsi Afrika, iiMPA zibhengezwa ngoLawulo lokusiNgqongileyo kuZwelonke: UMthetho weeNdawo eziKhuselweyo.

ILifa leNkcubeko elingaPhathekiyo:

Ekwabizwa ngokuba lilifa lemveli eliphilayo njengemiba engaphathekiyo yenkcubeko elilifa, kwaye inokubandakanya: (a) izithethe zenkcubeko; (b) imbali yomlomo; (c) imidlalo; (d) amasiko; (e) inkumbulo edumileyo (f) izakhono nobuchule; (g) iinkqubo zolwazi lwemveli; kunye (h) nendlela zoqaphela indalo gokubanzi, kuluntu nobudlelane bentlalo.

Imigodi:

Umsebenzi okanye umsebenzi apho ubutyebi bezimbiwa, obufana namalahle, isanti okanye idayimani, butsalwa emhlabeni, okanye phantsi kolwandle.

Imveliso:

Umsebenzi apho izixhobo zepetroleum, ezifana ne-oyile negesi, zitsalwa emhlabeni, okanye phantsi kolwandle.

Amandla oMbane ahlaziyekayo:

Amandla ombane ahlaziyekayo avela kwimithombo yendalo engaphelelwanga kwaye “anokuzihlaziya” ngokwawo ngokuhamba kwexesha. Imizekelo ibandakanya umoya kunye namandla ombane welanga.

Uphononongo lwenyikima:

Uvavanyo lwenyikima yindlela esetyenziswayo ukuphonononga ubume bomhlaba obungaphantsi koMhlaba ukunceda ukufumana izixhobo ezifana neoyile nerhasi okanye ukuqonda iimpawu zobume bomhlaba. Oku kwenziwa ngokuthumela amaza esandi emhlabeni kunye nokulinganisa indlela abuyela ngayo umva.



1. Intshayelelo: UbuLungisa ngakokusiNgqongileyo

Ubulungisa bendalo esingqongileyo lilungelo elisisiseko loluntu elixhobisa abantu kunye noluntu ukuba babe nefuthe kwaye bamise izigqibo ezinefuthe kulwandle, okusingqongileyo, kunye nobomi babo. Ukuphumeza ubulungisa bendalo kufuna intathoxaxheba enentsingiselo kwiinkqubo nasekuthathweni kwezigqibo. Ubulungisa bendalo esingqongileyo, xa busetyenziswa, busebenza njengesixhobo esinamandla sokuququzelela, ukuhlenganisa uluntu ukuba lusebenzise amalungelo alo kwindawo ephilileyo. Ngaphandle kobulungisa ngakokungqongileyo, abantu abaninzi, ingakumbi uluntu olungakhathalelwanga, luya kuchaphazeleka kakubi kungcoliseko nokungahlonitshwa kwendalo.

Kule ncwadi, uya kuba nakho ukufumana iimpendulo zale mibuzo ilandelayo:

- 1 Bujongeka njani ubulungisa bendalo esingqongileyo kuluntu lwabalobi abakhasayo?
- 2 Ngawaphi amalungelo wam ngakokusingqongileyo?
- 3 Yeyiphi imithetho nemimiselo enefuthe kumalungelo wam?
- 4 Ngawaphi amanyathelo endinokuwathatha ukulandela ubulungisa bendalo esingqongileyo?



Inkcazelo nokubaluleka

Inkcazelo

Ubulungisa bendalo kuxa kukho “ubulungisa ngakokusingqongileyo”, wonke umntu unokusebenzisa ngokulinganayo, ukonwabela nokukhuselwa kwemithombo yendalo esingqongileyo – equka umhlaba nolwandle. Xa kusenziwa izigqibo ezinefuthe elithile ebantwini nakwindalo, wonke umntu oya kuchatshazelwa zizigqibo uyamelwa kwaye kuboniswa naye, kunye nendalo, ngokomzimba, intlalo, ezopolitiko, inkcubeko, ezoqoqosho kunye nayo neyiphi na imiba iyaqwalaselwa.

UBulungisa ngakokusingqongileyo bumalunga nenkqubo yokwenziwa kwezigqibo kunye neziphumo zezo zigqibo.

Xa sisiva ngesigqibo esichaphazela indalo esingqongileyo, kufuneka sibuze:



1 UBULUNGISA

Ingaba eso sigqibo senziwe ngobulungisa, kungekho mkhethe okanye lualucalulo?



3 INTANDO YESININZI

Ingaba izimvo zabantu ziye zaviwa, yaye ingaba baba nelizwi kwisiphumo?

2 UKUMELWA KUNYE NOKUBANDAKANYWA



Ingaba wonke umntu oya kuchatshazelwa sesi sigqibo, kuquka nabo baziphilisa ngolwandle, babandakanyiwe ekuncedeni kufikelelwe kweso sigqibo?

Ingaba baye bazisiwe ngesigqibo, kunye nezizathu zesigqibo?



4 SIZINZILE

Ingaba esi sigqibo sisesona sizathu sibalulekileyo kokusingqongileyo, sikhokelela ekukhuselweni kwendalo nakwizizukulwana zangoku nezexesha elizayo?



5 AMALUNGELO OLUNTU

Ingaba esi sigqibo siyawakhusela amalungelo wam oluntu?

Ngelixa sinokuzibuza ukuba esi sigqibo siya kuba nafuthe lini kuluntu lwethu, kufuneka siqwalasele ifuthe kwindalo. Ngaphandle kwendalo, abantu ngebengekho. Ukukhusela indalo kuthetha ukuba siyazikhusela. Oku kunceda ekuqondeni ukuba abantu kunye nendalo zinxibelelene, kwaye ke ngoko iimpembelelo kwenye zivakala kwenye.

Ingaba kuquka ntoni “okusingqongileyo”?

EMzantsi Afrika, sikhokelwa ngumthetho ukuchaza “okusingqongileyo”. ICandelo lokul loMthetho woLawulo lokusiNgqongileyo kuZwelonke (NEMA) lisixelela ukuba okusingqongileyo yindawo engqongileyo apho abantu bakhona kwaye yenziwe ngoku:



Le nkcazo yomthetho isibonisa ukuba okusingqongileyo ayilohlabathi nje kuphela kodwa kwanobudlelwane obungaphakathi kulo, phakathi kwabantu, izilwanyana, iintaka, izityalo kunye nezinye izinto zendalo. Ngoko ke kukho ukuqondwa kokuba iinkcubeko zethu kunye neendlela zethu zobomi zinokuchaphazela indalo, kwaye indalo inokuchaphazela impilo yethu yoluntu kunye nokuphila kakuhle.

2. Amalungelo wam ngakokusiNgqongileyo

Umthetho wamazwe ngamazwe uyayiqonda into yokuba ukuze abantu baphumelele, sifuna indawo ecocekileyo, enemphilo nokusingqongileko okusebenzayo.¹ Oku kubalulekile ekonwabeleni amalungelo oluntu asisiseko, njengamalungelo obomi, impilo, ukutya, ugutyulo, uphuhliso, kunye nomgangatho owaneleyo wokuphila.

Indalo esingqongileyo ecocekileyo nenempilo ibonwa kwihlabathi jikelele njengenziwe zezi zinto zilandelayo:

- Imiba ebalulekileyo – umoya ococekileyo; imozulu ekhuselekileyo nezinzileyo; ukufikelela kumanzi akhuselekileyo kunye nogutyulo olwaneleyo; ukutya okunempilo nokuveliswa ngokuzinzileyo; iindawo ezisingqongileyo ezingenayo ityhefu ekunokuhlalwa kuzo, kusetyenzwe, kufundwe kwaye kudlalwe; kunye neentlobo-ntlobo zezityalo nezilwanyana eziphilayo ezisempilweni
- Imiba yenkqubo – ukufikelela kulwazi, ilungelo lokuthatha inxaxheba ekwenziweni kwezigqibo, kunye nokufikelela kubulungisa kunye nolungiso olusebenzayo, kubandakanya ukusetyenziswa ngokukhuselekileyo kwala malungelo ngaphandle kokuxhatshazwa nempindezelo.²

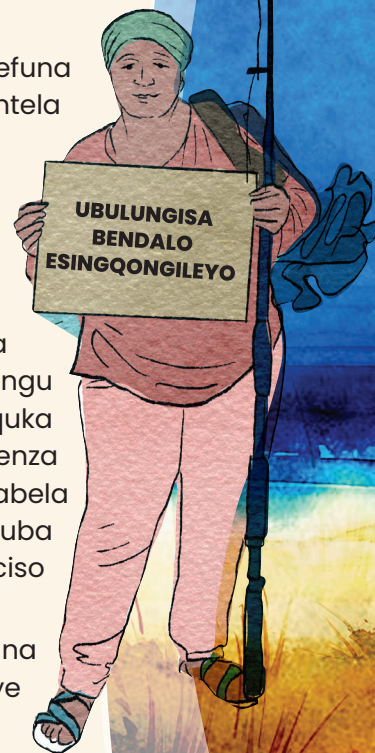
Ukuqinisekisa ukuba abantu kunye noluntu luxhamla ilungelo lendawo esingqongileyo ecocekileyo nesempilweni, oorhulumente banale misebenzi mithathu ilandelayo:

- Uxanduva **lokuhlonela amalungelo oluntu**, uxanduva olungakhiyo, efuna urhulumente ayeke ukwenza izinto eziya kuphazamisana okanye ezithintela ukonwabela amalungelo oluntu.
- Uxanduva **wokukhusela amalungelo oluntu** ngokuchasene nokunyahashwa kwabantu besithathu, uxanduva oluhle lokuba urhulumente athathe amanyathelo okuqinisekisa ukuba akukho kunyahashwa kwamalungelo oluntu.
- Uxanduva **lokuzalisekisa amalungelo oluntu**, uxanduva oluhle, olufuna ukuba urhulumente enze amanyathelo okuqinisekisa ukuba onke amalungelo oluntu ayakwazi ukonwabela amalungelo abo. La manyathelo aquka ukuyilwa kwemigaqonkqubo, azicwangciso buchule, izicwangciso zokusebenza kunye nokuwisa imithetho yokuqinisekisa ukuba abantu bayawonwabela amalungelo abo. Oku kukwabandakanya umsebenzi wokuqinisekisa ukuba imali eyaneleyo yabelwe ukuphumeza imigaqonkqubo, izicwangciso nezicwangciso buchule karhulumente.
- Uxanduva **lokukhuthaza amalungelo oluntu**, uxanduva oluhle, olufuna urhulumente ngokusebenzisa imfundo, uqeqesho / ukufundisa kunye nopapasho lukhuthaza ukuhlonelwa kwamalungelo oluntu ngawo onke amacandelo oluntu.

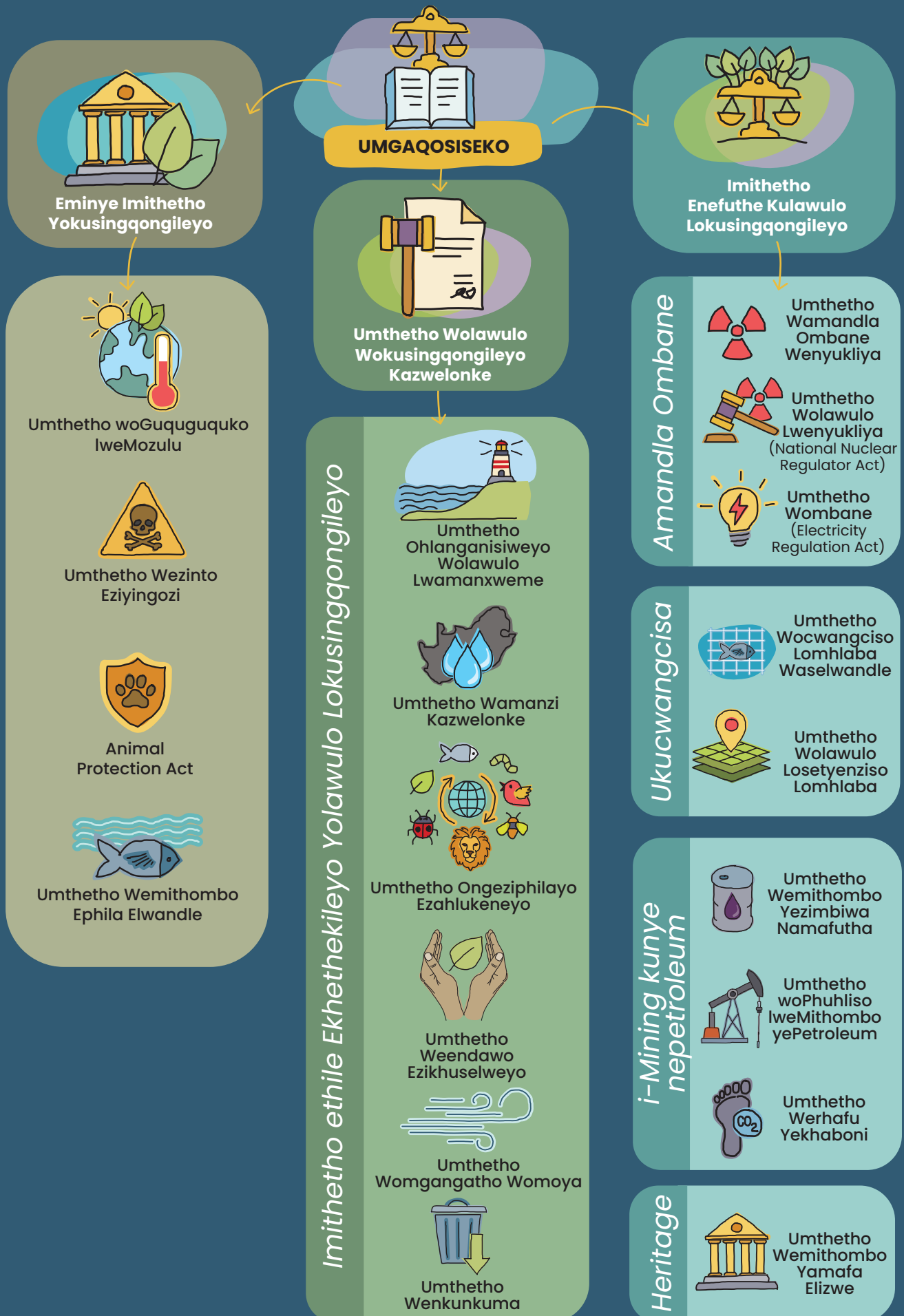
Amalungelo okusingqongileyo eMzantsi Afrika aphunyezwa yimithetho nemigaqonkqubo eyahlukeneyo emiselwe ngurhulumente. Ngokuqonda nokusebenzisa la malungelo, sinokusebenzela ukuphumeza ubulungisa bendalo esingqongileyo.

1 The United Nations General Assembly Resolution passed on 28 July 2022 on the right to a clean and healthy environment.

2 What is the Right to a Healthy Environment? United Nations Information accessed at www.undp.org/sites/g/files/zskgke326/files/2023-01/UNDP-UNEP-UNHCHR-What-is-the-Right-to-a-Healthy-Environment.pdf.



Eli candelo licacisa imithetho enokuba nefuthe kwaye efanelekileyo **kuluntu lwabalobi abakhasayo olufuna ubulungisa bendalo esingqongileyo.**



Imithetho yeSizwe



Umgaqosiseko

UMgaqosiseko woMzantsi Afrika³ ngowona mthetho uphezulu, nto leyo ethetha ukuba awukho omnye umthetho, umgaqonkqubo okanye isenzo sikarhulumente esinokuwoyisa okanye sibe nxamnye noMgaqosiseko. Ukwabeka amalungelo oluntu asisiseko abo bonke abantu belizwe, ngoMqulu wamaLungelo

UMgaqosiseko unika **wonke umntu** amalungelo alandelayo anxulumene **nobulungisa bokusingqongileyo**:

- **ICandelo lama24:** Ilungelo lokuba **okusingqongileyo** kungabi yingozi kwimpilo yakhe okanye kwintlalontle.

ICandelo 24 lisixelela ukuba: wonke umntu unelungelo —

- (a) lokuba okusingqongileyo kungabi yingozi kwimpilo yakhe okanye kwintlalontle; kwaye
- (b) nelokuba okusingqongileyo kukhuselwe, ukuze kuncedakale izizukulwana zangoku nezexesha elizayo, ngokuthi kuwisiw' imithetho enokubonelela, kusetyenziswa nezinye iindlela—
 - (i) ezithintela ungcoliso nokuwohloka kwemeko yokusingqongileyo;
 - (ii) ezikhuthaza ulondolozo lwendalo
 - (iii) nolwenza uphuhliso oluqhubekayo lwemeko yokusingqongileyo nokusetyenziswa kobuncwane bendalo ngoxa zikhuthaza uphuhliso oluthethelelekayo kuqoqosho nakwintlalo.

- **ICandelo le9:** Ilungelo **lokulingana**.
- **ICandelo le10:** Ilungelo **lesidima** kunye nokuhlonitshwa noku-khuselwa kwesidima sethu.
- **ICandelo le11:** Ilungelo **lokuphila**.
- **ICandelo le15:** Ilungelo **lenkululeko** yokunqula, yenkolelo noluvo.
- **ICandelo le17:** Ilungelo lokuhlanganisana nabanye, **ukuqhankqalaza**, nelokudlulisa uxwebhu lwezikhalazo, ekwenza oko ngoxolo kwaye engaxhobanga.
- **ICandelo lama22:** Ilungelo lokukhetha ngokukhululeka **umsebenzi** awufundeleyo.
- **ICandelo lama27:** Ilungelo lokufikelela **kunonophelo lwempilo, ukutya** okwaneleyo **namanzi**; kwakunye **nokhuseleko loluntu**.
- **ICandelo lama31:** Ilungelo lokonwabela inkcubeko yethu, senze inkolo yethu nokusebenzisa ulwimi lwethu.
- **ICandelo lama32:** Ilungelo **lokufikelela kulwazi**.
- **ICandelo lama33:** Ilungelo **lokwenziwa kwesigqibo ngobulungisa**.

Onke la ngamalungelo oluntu abalulekileyo ekufuneka aqwalaselwe xa sifuna ubulungisa ngakokusingqongileyo. Akho namanye amalungelo oluntu angadweliswanga apha ngasentla esinokuwathathela ingqalelo.



3 Umgaqosiseko weRiphabliki yoMzantsi Afrika, 1996



UMthetho woLawulo lokusiNgqongileyo kuZwelonke

UMthetho woLawulo lokusiNgqongileyo kuZwelonke (NEMA)⁴ ngumthetho obalulekileyo osuka kwilungelo lokusingqongileyo okusempilweni kwiCandelo lama24 loMgaqosiseko. Ubandakanya iimfuno ezifunekayo xa kusenziwa izigqibo eziya kuchaphazela imekobume yokusingqongileyo, xa isigunyaziso sokusingqongileyo okanye ezinye iintlobo zeemvume zifunwa, kwaye udala inkqubo yokuthatha inxaxheba koluntu kwezi zigqibo.

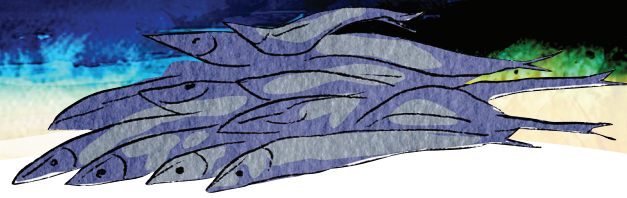
- Umthetho iNEMA wasazisa ukuba **ubulungisa ngakokusingqongileyo** kufuneka bulandelwe ukuze iimpembelelo ezimbi zokusingqongileyo zingasasazwa ngendlela enokucalula ngokungafanelekanga nawuphi na umntu, ingakumbi abantu abasesichengeni nabahlelelekileyo, kwaye uphuhliso kufuneka lugcineke ngokwentlalo, kokusingqongileyo kunye noqoqosho.
- Ukwabeka umqathango **wophuhliso oluzinzileyo** kwaye uchaza ukuba uphuhliso oluzinzileyo lufuna ukuqwalaselwa kwayo yonke imiba echaphazelekayo kuquka ukuba ukusetyenziswa kunye nokuxhatshazwa kwemithombo yendalo engahlaziyekiyo (enjenge-oyile, amalahle nerhasi) unoxanduva nobulungisa kwaye ithathela ingqalelo iziphumo zokuphela kobutyebi. Kwakhona, ukuba uphuhliso, ukusetyenziswa kunye nokuxhatshazwa kwemithombo yobutyebi evuselelekayo (efana nelanga nomoya) kunye nezilwanyana nezityalo eziyinxalenye yazo ayigqithisi kwinqanaba apho ingqibelelo yazo isengozini.⁵
- Umthetho iNEMA udwelisa imisebenzi ethile efuna ugunyaziso lokusingqongileyo phambi kokuba yenzeke.
 - Kule misebenzi, inkqubo yovavanyo lwefuthe lokusingqongileyo (EIA) iyimfuneko ukuze kuvavanywe kwaye kuqwalaselwe **ifuthe elinokubakho kokusingqongileyo**, kuqinisekise ukuba amanyathelo afanelekileyo athatyathiweyo ukuthomalalisa iimpembelelo ezingalunganga, nokuba iCandelo lama24 loMgaqosiseko liyagcinwa.
 - Ukwavumela ukuba uluntu lubandakanywe **kwiinkqubo zokuthatha inxaxheba ku-kawonkewonke** njengamaqela anomdla nachaphazelekayo phambi kokuba isigqibo sithatyathwe ngumgunyazise onelungelo ukuba uyasikhupha na isigunyaziso ngakokusingqongileyo.

Ekubeni ukunika amandla kusebenzisa izibonelelo zendalo ezifana namalahle, iuranium, ioyile okanye irhasi namanzi), oko kunokuthi kube nefuthe kokusingqongileyo (umgangatho womoya, ukufumaneka kwamanzi asemgangathweni, izityalo nezilwanyana eziphilayo), imigaqo kunye neenkqubo ezichazwe kwiNEMA zingundoqo ekuqinisekiseni ukuzinza. ukusetyenziswa kobutyebi bendalo. Esi sikhokelo sikhusela amalungelo oluntu kunye nokusingqongileyo, sikhusela isizukulwana sangoku nesexesha elizayo.

4 UMthetho woLawulo lokusiNgqongileyo kuZwelonke we107 ka1998.

5 ICandelo lesi2(4) loMthetho woLawulo lokusiNgqongileyo kuZwelonke we107 ka1998.





UMthetho woPhuhliso lweMithombo yeziMbiwa namaFutha

UMthetho woPhuhliso lweMithombo yeziMbiwa namaFutha (MPRDA)⁶ ulawula yonke imiba yezimbiwa namaFutha eMzantsi Afrika. Oku kuquka ukugrunxjwa kwamaxweme olwandle, ngendlela yokukhangela okanye ukumbiwa kwezimbiwa, kunye nokuhlola nokukhutshwa kwemithombo yamaFutha (ioyile nerhasi).

- Amasolotya eMPRDA asixelela ukuba ukombiwa kwemithombo yezimbiwa namaFutha akufuneki kubangele ungcoliseko *olungamkelekanga*, ukuxhatshazwa kwendalo okanye ukonakala kokusingqongileyo.
- Imisebenzi ebandakanya imithombo yezimbiwa namaFutha ifuna ugunyaziso lokusingqongileyo phantsi kweNEMA ukuqinisekisa ukuba iziphumo ezinokubakho okanye iimpembelelo kokusingqongileyo ziyavavanywa, ziqwalaselwe, kwaye amanyathelo afanelekileyo athatyathwe ukuthomalalisa iimpembelelo ezingalunganga, xa kuthatyathwa isigqibo sokuba kunikezelwe ilungelo okanye imvume.
- Le nkqubo ikwafuna uphuhliso lwenkqubo yolawulo lokusingqongileyo (EMPr). I-EMPr imisela indlela umsebenzi ekufuneka wenziwe ngayo ukunqanda kunye nokunciphisa iimpembelelo. Sisicwangciso solawulo lwemisebenzi esibalulekileyo.
- I-MPRDA iyakuvuma ukubaluleka kobulungisa bemo engqongileyo kunye nokuthintela umonakalo kwindalo esingqongileyo.



UMthetho woLawulo lwamaNxweme oDityanisiweyo

ULawulo lokusingqongileyo kuZwelonke: UMthetho woLawulo lwamaNxweme oDityanisiweyo (NEM: ICMA)⁷ unezinjongo:

- Ukuqonda ulwandle namanxweme njengafuna ulawulo olulodwa.
- Ukukhuthaza ulondolozo lwendalo eselunxwemeni kwaye ufuna ukugcina iimpawu zendalo zemonakalo yonxweme kunye nemonakalo yolwandle.
- Ukuqinisekisa ukuba uphuhliso nokusetyenziswa kobutyebi bendalo kummandla wonxweme luyathetheleleka ngokwentlalo noqoqosho, kwaye luzinzile ngokwendalo.
- Ukufuna kuthathelwe ingqwalasela eyodwa xa imisebenzi yaselwandle kunye naselunxwemeni ifuna ugunyaziso lokusingqongileyo.
- Ukulawula ukulahlwa kwenkunkuma elwandle, ungcoliseko kummandla wonxweme kunye nophuhliso olungafanelekanga lwemekobume yaselunxwemeni.

Ulwandle kunye nonxweme lolwabo bonke abantu kwaye lugcinwe ngokuthenjwa nguRhulumente. Lo Mthetho ubeka uxanduva kurhulumente ngokuqinisekisa ukuba unxweme luyalawulwa, lulondolozwe kwaye luphuculwe ngokweminqweno yoluntu lonke. “Umdla woluntu luphela” uthetha imidla yabantu beyimbumba kunye nezinye izinto eziphilayo ezixhomekeke kwindawo engqonge unxweme.

⁶ UMthetho woPhuhliso lweMithombo yeziMbiwa namaFutha Nombolo yama28 ka2002.

⁷ UMthetho woLawulo lwamaNxweme oDityanisiweyo wam24 ka2008.



UMthetho weeNdawo eziKhuselweyo

ULawulo lokusiNgqongileyo kuZwelonke Umthetho weeNdawo eziKhuselweyo (NEM:PAA)⁸ ubonelela ngokusekwa nokulawulwa kweendawo eziKhuselweyo emhlabeni naselwandle (ezifana neMimandla yaselwandle eKhuselweyo), kubandakanywa iipaki zesizwe, iindawo zolondolozo lwendalo, kunye nemimandla eyintlango; ulondolozo lwezityalo nezilwanyana ezohlukeneyo kunye nokukhuselwa kweendawo zokuhlala zendalo.

Lo Mthetho ukwajolise ekukhuthazeni ukusetyenziswa ngokuzinzileyo kwemimandla ekhuselweyo ukuze kuxhamle abantu, ngendlela eya kugcina isimilo sendalo kummandla onjalo, nokukhuthaza ukuthatha inxaxheba koluntu lwasekuhlaleni kulawulo lweendawo ezikhuselweyo, apho kufanelekileyo.



UMthetho ongeziPhilayo ezaHlukeneyo

ULawulo lokusiNgqongileyo kuZwelonke Umthetho ongeziPhilayo ezaHlukeneyo (iNEM:BA)⁹ ujolise ekulawuleni nasekulondolozeni ukwahlukana kwezendalo yaseMzantsi Afrika kwaye ugxile ekulondolozweni kweentlobo zezityalo nezilwanyana eziphilayo, kuquka usetyenziso oluzinzileyo lwezityalo zendalo zemveli. Iintlobo ezithile zezilwanyana zaselwandle zikhuselwe phantsi kwalo Mthetho, othintela ukuba zingalotywa okanye zivunwe.



UMthetho woMgangatho woMoya

ULawulo lokusiNgqongileyo kuZwelonke Umthetho woMgangatho woMoya (NEM:AQA)¹⁰ ujolise ekukhuseleni okusingqongileyo ngokubonelela ngemilinganiselo efanelekileyo yokuthintela ungcoliseko nokonakaliswa kokusingqongileyo kwendalo. Lo Mthetho ubonelela ngemiqathango nemigangatho yokulawula umgangatho womoya.



UMthetho weMithombo yeLifa leMveli

UMthetho weMithombo yeLifa leMveli¹¹ ufuna urhulumente akhusele imithombo yelifa leMveli kunye 'nelifa leMveli eliphilayo'. Ilifa eliphilayo lichazwa njengemiba engabambekiyo yenkcubeko elilifa, kwaye inokubandakanya: (a) izithethe zenkcubeko; (b) imbali yomlomo; (c) imidlalo; (d) amasiko; (e) inkumbulo edumileyo (f) izakhono nobuchule; (g) iinkqubo zolwazi lwemveli; kunye (h) nendlela zokuqaphela indalo ngokubanzi, kuluntu nobudlelane bentlalo.

UMthetho weMithombo yeLifa leMveli ukwaqaphela ukuba imithombo yelifa leMveli iyinxalenye ebalulekileyo yembali neenkolelo zoluntu kwaye kufuneka zilawulwe ngendlela evumayo ilungelo loluntu oluchaphazelekayo lokubonisana kunye nokuthatha inxaxheba kulawulo lwabo.

Iinkqubo zoVavanyo lweMpembelelo yokusiNgqongileyo phantsi kweNEMA kunye ne-MPRDA kufuneka kwakhona ziqwalasele iimpembelelo ezinokuthi uphuhliso lube nazo kwilifa leMveli loluntu lwabalobi abakhasayo.

8 ULawulo lokusiNgqongileyo kuZwelonke: UMthetho weeNdawo eziKhuselweyo Protected Areas Act wama57 ka2003.

9 ULawulo lokusiNgqongileyo kuZwelonke: UMthetho ongeziPhilayo ezaHlukeneyo we10 ka2004

10 UMthetho woMgangatho woMoya wama29 ka2004.

11 UMthetho weMithombo yeLifa leMveli wama25 ka1999.



UMthetho woGuquguquko lweMozulu

UMongameli woMzantsi Afrika wamkele (utyikitye emthethweni) uMthetho woGuquguquko lweMozulu¹² ngomhla wama23 kweyeKhala ka2024. Oku kube ngumkhombandlela kumthetho wokuqala woMzantsi Afrika ojongene ngqo noguquguquko lwemozulu. Ujonge ukulungelelanisa izenzo zemozulu kuwo onke amacandelo karhulumente. UMthetho wokuTshintsha kweMozulu ngoku uqalile (ngomhla we-17 kweyoKwindla ngowama-2025).

Eyona njongo iphambili yoMthetho woGuquguquko lweMozulu kukuphuhlisa nokuphumeza impendulo esebenzayo yesizwe kwimpendulo zoguquguquko kwemozulu. Oku kubandakanya ukuphuhlisa isicwangciso sexesha elide sotshintsho olufanele-kileyo ukuya kwikhabhoni ephantsi kunye noqoqosho olukwazi ukumelana nemozulu.

Intshayelelo iyaliqonda ilungelo elikumgaqosiseko lokusingqongileyo okusempilweni kwaye igxininisa indima yoMzantsi Afrika kumalinge ehlabathi okunciphisa ukukhutshwa kwerhasi edala ungcoliseko.



UMthetho wokuPhuhlisa ukuPhononongwa kweMithombo yamaFutha

UMthetho wokuPhuhlisa ukuPhononongwa kweMithombo yamaFutha¹³ ujlise ekulawuleni nasekukhawuleziseni ukuphononongwa nokuveliswa kwemithombo yepetroleum. Lo Mthetho watyikitywa ukuba ube ngumthetho ngowama29 kweyeDwarha ngowama2024 kodwa ayikasetyenziswa.

Iinjongo zalo Mthetho kukudala ukwahlulwa kolawulo lweshishini lamaFutha eliphononongwayo (ukuhlola nokusebenzisa imithombo yeoyile nerhasi) kulawulo lweshishini lwemigodi, eliza kuqhubeka lilawulwa yiMPRDA. ISebe leMithombo yeziMbiwa naMandla lijonge ukuba lo Mthetho ulungiselele uphuhliso olucwangcisiweyo lwemithombo yamaFutha kunye nokudala imekobume evumela ukuba kukhawulezise ukuhlola nokuveliswa kwemithombo yamaFutha kazwelonke.

IMithetho kunye neMigaqonkqubo esephantsi kweNkqubo



ULawulo lokusiNgqongileyo kuZwelonke: Umthetho ongeziPhilayo ezaHlukeneyo osaYilwayo

ISebe lezamaHlathi, ukuLoba kunye nokusiNgqongileyo lipapashe uLawulo lokusiNgqongileyo lweSizwe: Umthetho ongeziPhilayo ezaHlukeneyo osaYilwayo ngomhla wama27 kweyoKwindla ka2024 ukuze uluntu luhlomle. Lo Mthetho osaYilwayo, wakuba uvunyiwe, uza kulungisa ze uthabathe indawo yoLawulo lokuSingqongileyo kuZwelonke okhoyo kungokunje: Umthetho ongeziPhilayo ezaHlukeneyo ka2004.

Lo Mthetho osaYilwayo ujonge ukuqinisekisa ukuphunyezwa ngempumelelo kwezibonelelo kunye nempumelelo yeenjongo zeNEM: zoMthetho weBA ka2004; ukhuseleko olukhulu lwezityalo nezilwanyana eziphilayo; ulawulo olubhetyebhetye ngakumbi lweentlobo kunye nezendalo; impumelelo esebenzayo ngakumbi yeenzuzo zoqoqosho kwicandelo lezityalo nezilwanyana ezohlukeneyo; kunye nenguqu yecandelo lezityalo nezilwanyana ezohlukeneyo.¹⁴

¹² UMthetho woGuquguquko lweMozulu wama22 ka2024.

¹³ UMthetho woPhuhlisa ukuPhononongwa kweMithombo yamaFutha wama23 ka2024.

¹⁴ https://www.dffe.gov.za/legislation/gazetted_notices/draft2024nem.biodiversitybill

Imigaqo yomthetho

Ilungelo lokwenziwa kwesigqibo ngobulungisa

Ubulungisa bokusingqongileyo bugxininisa **“ekuthathweni kwezigqibo ezilungileyo”** kunye **“neziphumo ezilungileyo”**, ukuqinisekisa ukuba wonke umntu unelizwi elilungileyo kwimiba yokusingqongileyo. Ngokufanayo, ilungelo lobulungisa kulawulo lisebenza kuzo zonke izigqibo ezenziwa ngurhulumente, hayi nje izigqibo zendalo esingqongileyo. Ubulungisa bolawulo busivumela ukuba sibe yinxalenye yokwenziwa kwezigqibo esisemthethweni, kunye nokucela umngeni kwiziphumo (ezinokuthi zibandakanye imithetho) esivakalelwa kukuba ayinabulungisa.

NgokweCandelo lama33 loMgaqosiseko:

- (1) Wonke umntu unelungelo kwinyathelo lokwenziwa kwesigqibo esisemthethweni, esifanelekileyo nesingenamkhethe ngokwenkqubo (*ukwenza isigqibo esifanelekileyo*)
- (2) Wonke umntu omalungelo akhe achatshazelwa kakubi linyathelo lokwenziwa kwesigqibo esisemthethweini unelungelo lokunikwa izizathu ezibhaliweyo.

UMthetho wokuKhuthazwa koBulungisa ekweNziweni kwesiGqibo udalelwe ukuba unike isiphumo kwiCandelo lama33, lisebenza njengesixhobo somthetho esinamandla ukuze uluntu luthethelele ulawulo olululo, ulawulo olululo, kunye nenkcubeko yokuphendula, ukungafihli nto kulawulo lukarhulumente.

“Inyathelo loKwenziwa kwesiGqibo esiLungileyo” sithetha ukuba:

1. Xa izigqibo zithathwa ngumlawuli, igosa likarhulumente okanye umenzi wezigqibo (obizwa ngokuba “linyathelo lokwenziwa kwesigqibo”),
2. kufuneka zibe **zizigqibo ezinobulungisa nezifanelekileyo** ezivunyelwa ngumthetho;
3. nokuba **izizathu** ezibhaliweyo zezigqibo kufuneka zinikwe abo bachaphazelekayo.

Ilungelo lokuFikelela kulwazi

ICandelo lama32 loMgaqosiseko lithi: “Wonk’ ubani unelungelo lokufumana – (a) nayiphi na ingcombolo ekurhulumente; kunye (b) nayo nayiphi na ingcombolo ekomnye umntu, efunekayo ukuze umntu akwazi ukusebenzisa okanye ukukhusela amalungelo.”

Ilungelo lokuFikelela kulwazi lithetha ukuba abantu banelungelo lokufumana ulwazi kurhulumente okanye kwamanye amagunya karhulumente malunga nezigqibo, imigaqonkqubo, kunye nezenzo ezichaphazela bona kunye noluntu lwabo. Eli lungelo liyimfuneko ekuqinisekiseni ukwenziwa kwezinto elubala nokuphendula, ukuxhobisa abantu ukuba bahlale benolwazi malunga neprojekthi okanye imigaqo-nkqubo enokuchaphazela amalungelo abo, okusingqongileyo, kunye nokuphila kakuhle. Ngolu lwazi, abahlali banokuthatha inxaxheba ngokufanelekileyo ekwenziweni kwezigqibo, bavakalise iinkxalabo zabo, kwaye benze abasemagunyeni baphendule ngezenzo zabo.

Ilungelo lokuFikelela kulwazi likwabalulekile ekuqinisekiseni ukuba iinkqubo zokuthatha inxaxheba koluntu zinobulungisa kwaye zibandakanya wonke umntu. Ngokuba nolwazi oluyimfuneko, abantu bangazibandakanya ngokunentsingiselo kwezi nkqubo, beqwalasela amalungelo kunye nomdla wabo. Ukufikeleleka kolu lwazi – ingakumbi ngolwimi nangemo – kubalulekile. Abasemagunyeni kunye nabaphuhlisi beprojekthi kufuneka baqinisekise ukuba ulwazi lunikezelwa ngeendlela ezifikeleleka lula kubo bonke, beqonda ukuba ayingawo onke amalungu oluntu anokufikelela kumaqonga edijithali afana namakhasi onxibelelwano, i-intanethi, okanye i-imeyile.



3. Uphuhliso olunokuthi luchaphazele amaLungelo wam ngakokusiNgqongileyo

Ehlabathini jikelele, amazwe, iinkampani zamazwe ngamazwe kunye neenkampani zihlala zikhangela ubutyebi bendalo ukwenza inzuzo. Nje ukuba ubutyebi bendalo bufunyenwe, uphuhliso olukhulu ludla ngokulandela. Ulwandle alukhethelwa bucala. Ulwandle luqulethe imithombo emininzi, kubandakanywa iintlobo zeentlanzi, kodwa kunye nedayimani, ioyile kunye nerhasi, kunye nezinye izinto zendalo kunye nezimbiwa.

Kweli candelo, siza kuqwalasela ngakumbi kwiindidi ezahlukeneyo zophuhliso oluqhubekayo ngoku eMzantsi Afrika kunye neempembelelo zalo kuluntu lwabalobi abakhasayo.

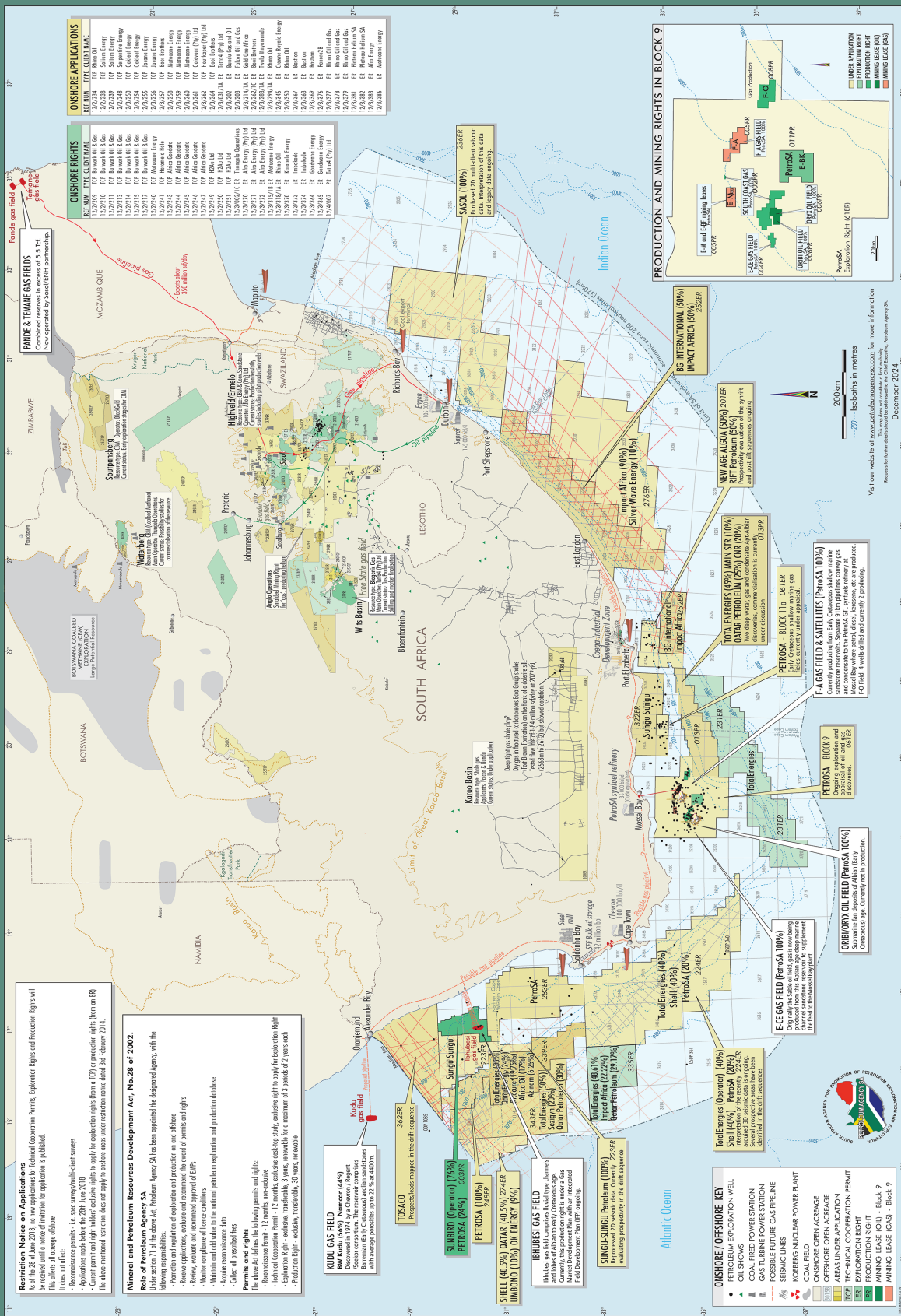
Uphononongo lweOyile neRhasi

Ngoku, sibona umdla okhulayo wokuhlola kwioyile nerhasi kwiilwandle zaseMzantsi Afrika. Imisebenzi eyayanyaniswa nokutsala ioli nerhasi, kwisigaba sokuhlola ('ukukhangela') kunye nesemveliso (ukuphonononga okanye 'ukwembiwa kwemigodi') ingaba neziphumo kuluntu lwabalobi abakhasayo olugudle unxweme loMzantsi Afrika.

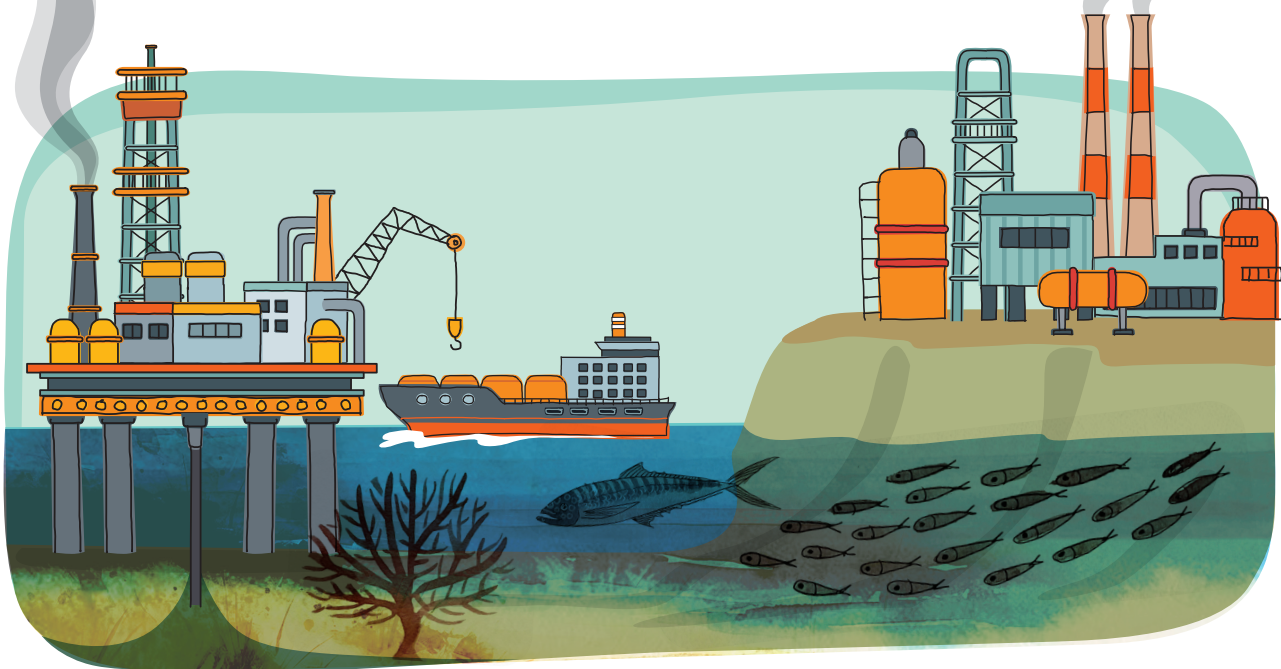
Unxweme lohlulwe lwaba ziibhloko ezinkulu kwaye zabelwa iinkampani ezahlukeneyo ngeenjongo zokuhlola nokuvelisa. Iinkampani ezifumene amalungelo okuhlola okanye okuvelisa zinokuphonononga iindawo zeoli kunye nerhasi, kwaye ukuba zifunyenwe, ukuveliswa kweoli kunye nerhasi kunokuqala. Iinkampani kufuneka ziqale ziqinisekise ukuba kukho ioyile kunye nerhasi, nokuba kukho i-oyile nerhasi eyaneleyo yokwenza ukuba zixabiseke ngelixa zithengisa ngaphambi kokuba zakhe iziseko eziyimfuneko zokukhupha ioyile nerhasi.

Oku akuthethi ukuba ukuhlola kunye nemveliso kuya kuqhubeka kwibhloko nganye, okanye kugubungele yonke indawo kwibhloko. Nangona kunjalo, uninzi lweendawo ezingaselunxwemeni zohlulwe ngokweebloko kwaye ukuba ioyile okanye irhasi itsalwa kwibhloko ezininzi ezigudle unxweme, impembelelo engalunganga eyongezelekayo kubutyebi baselwandle inokubaluleka.





Umfanekiso: Imephu evela kwiArhente yamaFutha yaseSA ebonisa imisebenzi yophononongo kunye nemveliso yangoku eMzantsi Afrika ukusukela kweyeThupha ka2024. Umthombo wolwazi: (<https://www.petroleumagencyrsa.com/wp-content/uploads/2024/12/Hubmap1224.pdf>)



Amanqanaba oHlolo lweOyile neRhasi kunye neMveliso

- 1 Inqanaba lokuqala: Uphononongo lwenyikima**
 Oku kufuna ukusetyenziswa kobugcisa obudubula amaza esandi elwandle ukuhlo-
 la ukuba ioli okanye irhasi inokufumaneka na phantsi komgangatho wolwandle.
- 2 Inqanaba lesibini: Uvavanyo lokomba aMaqula**
 Ukuba idatha evela kuphando lwenyikima idiza ukuba kungakho ioyile okanye
 irhasi phantsi komgangatho wolwandle, imingxuma yovavanyo iyagrunjwa
 ukuqinisekisa ukuba le datha ichanekile.
- 3 Inqanaba lesithathu: Ukombiwa kunye nokuHlola**
 Oko ngombiweyo kutsalwa ngokusetyenziswa kwamaqula ovavanyo, kwaye
 oku kuhlalwa. Ukuba kufunyaniswe ukuba yioyile okanye irhasi ngokwemiyinge
 eyenza ukutsalwa kube yinzuzo kwezorhwebo kube lithuba leshishini eliseben-
 zayo, isiza siguqulwa sibe yindawo yokuvelisa (yokuphonononga).
- 4 Inqanaba lesine: Ukuveliswa**
 Amanye amaqula ayombiwa ukukhupha ioyile okanye irhasi. Ioyile okanye izixho-
 bo zerhasi zithi zakhiwe ezinokuthi emva koko ziqalise ukumpompa ioyile okanye
 irhasi ukusuka phantsi komgangatho wolwandle ukuya phezulu, apho ilungiswa
 khona okanye ithunyelwe kumanxweme ngemibhobho okanye ngeenqanawa.
- 5 Inqanaba lokugqibela: Ukuvalwa**
 Emva kokuba ioyile okanye irhasi ikhutshwe ngokupheleleyo kwindawo,
 iqula liyavalwa.



Ugunyaziso lokusiNgqongileyo, iLayisenisi kunye neeMvume

Kwinqanaba ngalinye lokuphononongwa kweoyile kunye nerhasi kunye nokuveliswa, iinkampani kufuneka zifumane isigunyaziso sokusingqongileyo, iilayisenisi okanye iimvume phambi kokuba kuqhutywe. Le nkqubo ibalulekile njengoko inika uluntu ithuba lokuthethathethana, luvakalise iinkxalabo zalo kwaye lulawule isiphumo sesigqibo. KwiCandelo lesi6 sijonga iindlela zokubandakanyeka ekusebenziseni amalungelo akho angakokusingqongileyo.

Ukwembiwa kwemigodi

Ukwembiwa kwemigodi kwenzeka elunxwemeni nangaphantsi komgangatho wolwandle. Ukumbiwa kwemigodi elunxwemeni kubhekisa kwinkqubo yokufumana ubutyebi obusuka ngaphantsi komhlaba, ngelixa imigodi yaselwandle ifuna ukufumana ubutyebi bezimbiwa ngaphantsi komgangatho wolwandle. Zombini ezi ntlobo zokwembiwa kwemigodi zibeka umngcipheko kwimpilo yoluntu ngokubanzi kunye nokusingqongileyo.

Ukwembiwa kwemigodi elunxwemeni kukhangelwa ubutyebi obufana namalahle, isinyithi esinexabiso kunye nesanti kuphazamisa indalo esingqongileyo. Inamandla okongeza imichiza kunye nentlenga kwimilambo kunye nemifula ehlala ihamba phakathi koluntu kunye nolwandle, kwaye inokuchaphazela iintlanzi ezikude nendawo yomgodi.

Ngokunjalo, ukumbiwa kwemigodi ekude nonxweme kubutyebi obufana negolide, ikopolo, izinc, ioyile nerhasi kusebenzisa oomatshini abakhulu bemigodi engaselunxwemeni enokuba nefuthe elibi kubomi baselwandle obufana neplankton, izilwanyana zaselwandle ezintywilana zulu kunye nentlanzi yebenthic kunye nentlanzi ipelagic ngokutshatyalaliswa iindawo zokuhlala zendalo kunye nentshela zentlenga.



UKWEMBIWA KWEMIGODI

Ukwembiwa kwemigodi yinkqubo yokuhlaza ubuncwane obufana namalahle, igolide nedayimani emhlabeni naphantsi kolwandle. Ibandakanya ukufunyanwa kwezimbiwa, ukuzikhupha ngokwembiwa, ukwembiwa kunye nokuqhunyiswa, kunye nokuthuthwa kwazo zisiwe kwiindawo zokusetyenzwa, ezifana nezinyibilikisi kunye nezikhululo zombane ezibaswa ngamalahle.

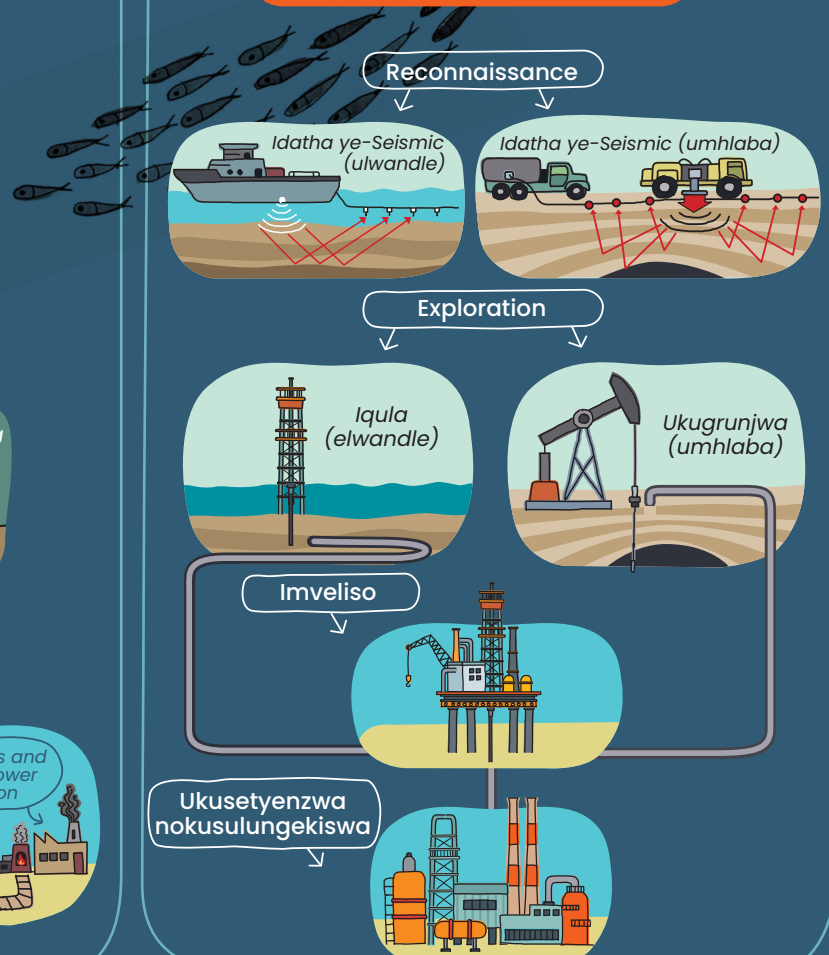
Inkqubo yokumbiwa kwemigodi imithombo yamaminerali:



KWEMVELISO YEMIGODI

Yinkqubo yokukhupha izixhobo zepetroleum, ezifana ne-oyile, igesi kunye ne-condensate, ukusuka emhlabeni naphantsi kolwandle. Kubandakanya ukufumana ioli kunye / okanye igesi, kunye nokuzikhupha ngokusebenzisa imingxuma yokomba. Ukwenzela imveliso kude nonxweme, oovimba badla ngokuthuthwa ngemibhobho ukuya elunxwemeni, apho i-oyile nerhasi ziphinda zisetyenzwe.

Inkqubo yokuvelisa ukukhutshwa kwemithombo ye-petroleum:



Ngoko ke, ukumbiwa kumalunga nokufumana imithombo yezimbiwa kwihlabathi, ngelixa imveliso imalunga nokufumana imithombo yepetroleum emhlabeni.

Iinqanawa zamandla ombane

Ziintoni iinqanawa zamandla ombane? Iinqanawa zamandla ombane ngamaziko amandla ombane aselwandle edla ngokusetyenziswa emva kweentlekele zendalo okanye iimeko zonxunguphalo ukubonelela ngombane ongxamisekileyo, oveliswa enqanaweni. Iziko lamandla ombane eliselwandle lisebenzisa iLiquefied Natural Gas okanye omnye umthombo wamafutha ukuvelisa umbane. Zimisa kumazibuko ze zidlulisele umbane kumhlaba osetyenziswayo ngeentambo.

Kutshanje eMzantsi Afrika, iKarpowership SA (esebenzisana nenkampani yaseTurkey esebenza ngeenqanawa zamandla ombane kwihlabathi jikelele) iphumelele iphulo lokumisa iinqanawa ezintathu zamandla ombane kwizibuko **laseSaldanha, elaseCoega nelaseRichards Bay**, onke amazibuko akunxweme loMzantsi Afrika, ngesivumelwano seminyaka engama20.

Iiprosjekthi zeKarpowership ziye zajongena nenkcaso yoluntu kunye nemiqobo yezomthetho. ISebe lezokuLoba, amaHlathi kunye nokusiNgqongileyo lalile ekuqaleni isigunyaziso sendalo esingqongileyo seKarpower kwiiprosjekthi ezintathu ngoJulayi ka2021 ngenxa yefuthe lazo kokusingqongileyo, ushishino lokuloba kunye nezendalo, kunye nokunqongophala kolwazi olukhoyo ukuze kwenziwe izigqibo, njengoko inkampani yayingakhange icinge ngokupheleleyo zonke iimpembelelo zokusebenza. Ngelo xesha, isibheni seKarpower malunga nesigqibo asiphumelelanga.

Ekupheleni kuka2023, iKarpower yakwazi ukufumana ugunyaziso lokusingqongileyo, kodwa yasilela ukufikelela kufutshane nezezimali kwaye ikhokelele uEskom, iqumrhu likawonkewonke, ukuba lirhoxise ukufikelela kwabo kuthungelwano lombane. Nangona kunjalo, inani lemibutho yoluntu kunye nabantu ngabanye babhenela ngempumelelo iprosjekthi yeSaldanha Karpowership, ngoko ke ukukhutshwa kwemvelo kwabekwa bucala leKarpower eMzantsi Afrika lisahleli lingaqinisekanga.

Amaziko oMbane oVeliswa ngaManzi

Oorhulumente abaninzi kunye neenkampani zinomdla ekuveliseni amandla ombane oveliswe ngamanzi njengomthombo wamandla ombane wasekhaya, okanye ukuthunyelwa kumazwe afana nalawo aseYurophu. Inkqubo yokwenza amandla ombane oveliswe ngamanzi idinga umbane kunye namanzi. IHydrogen itsalwa emanzini kusetyenziswa umbane ukwahlula imolecules zamanzi (H_2O) zibe yoxxygen kunye nehydrogen. La mandla ombane oveliswe ngamanzi igcinwa kwiiseli zamafutha, ezenza umbane. Inzuzo yamandla ombane oveliswe ngamanzi kukuba inokugcinwa ukuze isetyenziswe kamva okanye ithuthelwe kwenye indawo.

Amaziko aMandla oMbane oVeliswe ngamanzi acetywayo eMzantsi Afrika aya kuba kwiindawo eziselunxwemeni, nto leyo evumela ukuba kube lula ukuthunyelwa kwamanye amazwe. Amazibuko asemanzini anzulu **aseSaldanha eNtshona Koloni, eCoega eMpuma Koloni naseBoegoebaai eMntla Koloni** athathwa njengeendawo ezinokusetyenziswa.

Kukho iindidi ezahlukeneyo zehydrogen, eyona ithandwayo "amandla ombane oveliswe ngamanzi alungileyo" eveliswa kusetyenziswa amandla ahlaziyekayo okanye alungileyo. Nangona kunjalo, asingawo onke amandla ombane aveliswe ngamanzi "alungileyo". Isenokuveliswa kwakhona ngokusebenzisa umbane ophuma kumafutha efosili (umzekelo iziko lombane elisebenzisa amalahle) nto leyo ethetha ukuba inkqubo inegalelo ekukhutshweni kwekhabhoni kwaye yandisa uguquguquko lwemozulu. Inkqubo yokwenza umbane oveliswe ngamanzi nayo ifuna umthamo omkhulu wamanzi. UMzantsi Afrika uthathwa njengelizwe elinoxinzelelo lwamanzi, elijongene nembalela kunye nokunqongophala kwamanzi, ngoko ke kubalulekile ukuvavanya imfuno yamanzi kwiiprosjekthi zamandla ombane oveliswe ngamanzi.

4. Ifuthe kokusingqongileyo Kunye nempilontle yomntu

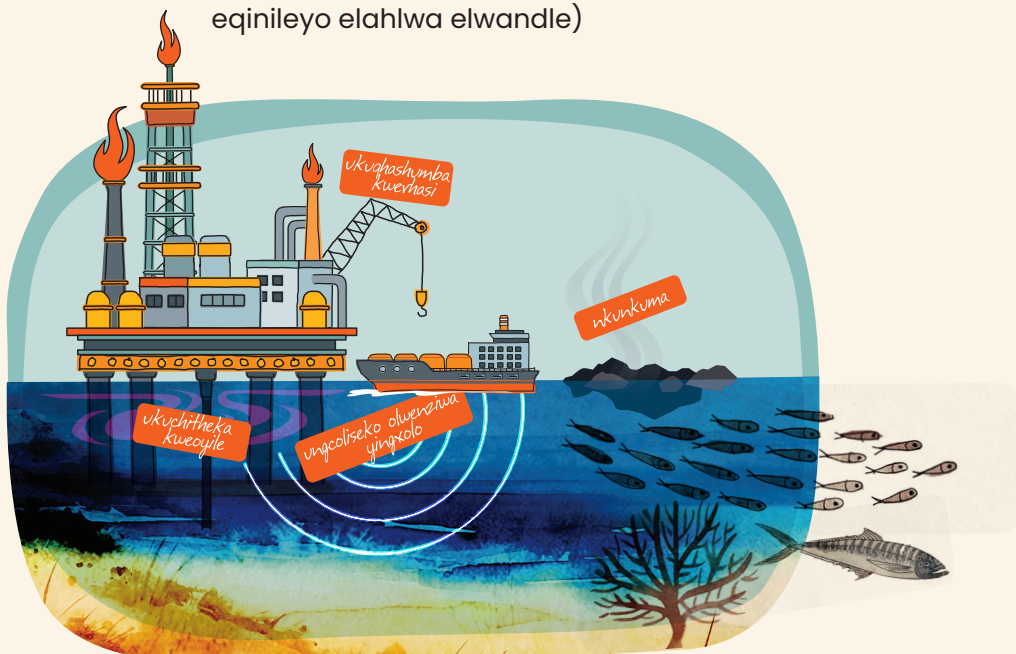
Uluntu lwabalobi abakhasayo luhlala luzibona lungazazi iiprojekthi ezinkulu de luqalise ukufumana iziphumo ezibi – ezinjengokuncipha ngesiquphe kweentlanzi elwandle, ungcoliseko olubangelwa kukuchitheka kweoyile elwandle ebulala iintlanzi, okanye imiqobo ekufikeleleni kwiindawo zokuloba. Xa uluntu luchaphazeleka ngolu hlobo, lufumana *ukungabikho kobulungisa* ngakokusingqongileyo.

Apha ngezantsi zezinye zeempembelelo ezinokubangelwa ziiprojekthi ezichazwe kwiSahluko sesi3.

Ungcoliseko lokusingqongileyo

Ngexesha lazo zonke izigaba zokuhlola ioyile kunye nerhasi, ukwembiwa kwemigodi, iinqanawe zamandla ombane kunye namandla ombane oveliswe ngamanzi, ukungcoliseka kokusingqongileyo kunokwenzeka. Nangona iinkampani zifunwa ngokusemthethweni ukuba zinciphise (ukunciphisa okanye ukumisa) ungcoliseko kwaye zisebenze xa iziganeko zisenzeka, ngokwenyani, sibonile ukuba iinkampani zisebenza ngokunganelisekiyo ukunciphisa kunye nokulungisa ungcoliseko xa lusenzeka, ezikhokelela kumonakalo omkhulu wokusingqongileyo. Imizekelo yongcoliseko lokusingqongileyo:

- ukuchitheka kweoyile
- ukuqhashumba kwerhasi (okubangela ukukhutshwa kwegesi okwahlukeneyo okubandakanya isulfure dioxide, icarbon dioxide, iihydrocarbons, imethane njl.njl)
- ungcoliseko olwenziwa yingxolo, umzekelo iinqanawa ezinkulu, izixhobo zaselwandle kunye neeKarpowerships
- ulawulo lwenkunkuma olungafanelekanga (amanzi amdaka kunye nenkunkuma eqinileyo elahlwa elwandle)



Ifuthe lokuMbiwa kweOyile neRhasi

Xa ukombiwa kweoyile kunye nerhasi kusenzeka, inkunkuma iyaveliswa. Ezi ngqokelela zeemveliso eziveliswa ngokugrumba, zibandakanya izinto ezaphulwe zaze zaziingceba ezivela kumngxuma owenziweyo (obizwa ngokuba "zi-cuttings") kunye nemichiza ezisetyenziswa ngexesha lenkqubo. Ukuba ioyile ifunyenwe, amanzi ongezelelweyo aqulethe umthambo omncinci weoyile anokuziswa ngaphezulu emhlabeni.

Ioyile engaselunxwemeni kunye nezixhobo zerhasi zinokukhupha izixa ezikhulu zezinto eziyityhefu elwandle, ezinokuba nefuthe elibonakalayo kubomi baselwandle. Iimeko zongxamiseko ezinokwenzeka - ezifana nokuchitheka kwe-oyile ekhupha iikhemikhali eziyingozi, ugqabhukodubulo lwamanzi angaphantsi kwamanzi nangaphezulu, kunye nemililo eyenza umonakalo ebantwini, kokusingqongileyo nakumhlaba. Ukuchitheka okuyintlekele kunye nokuvuthuza ziingozi ezibhaliweyo kwimisebenzi yokugrumba kude nonxweme. Uthintelo alunakwenzeka kwaye iinkampani kufuneka zibe nezicwangciso zokunciphisa ezi zinto zichithekileyo kunye nokuvuthuza.

Ufundo olusekelwe kuLuntu: Ukuchitheka kweoyile yeDeepwater Horizon

Ukuchitheka kweoyile yeDeepwater Horizon ngo2010 kwiGulf yaseMexico ngumzekelo wendlela wemingcipheko eyingozi yokugrumba ioyile nerhasi. Ngomhla wama20 kuTshazimpuzi ka2010, umatshini wokugrumba weBritish Petroleum (BP) waqhushumba, wakhokelela ekuchithekeni okukhulu kweoyile elwandle. Kuthathe phantse iinyanga ezintlanu ukutywina iqula kwaye, ngeli xesha, isixa esikhulu seoyile savuzela elwandle, sidala enye yeentlekele zokusingqongileyo kwimbali yamva nje. Kwanasemva kokuba iqula livaliwe, kwiminyaka emibini kamva, kwabakho iingxelo zokuba ioyile yayisavuzela.

Iimpembelelo zokuchitheka zazininzi: imigxobhozo eselunxwemeni yafa, ubomi baselwandle balahlekelwa kakhulu, kwaye izixa ezikhulu zemethane zaye zakhutshelwa emoyeni. Ioyile isekho elwandle nangaphantsi kolwandle. Ayichaphazeli abalobi nje kuphela, kodwa ikwachaphazela namanye amacandelo anxulumene nolwandle, afana nokhenketho kunye nolondolozo.

Ifuthe kweziPhilayo ezaHlukeneyo

UMzantsi Afrika uqhayisa ngeentlobo ngeentlobo zendalo kunye neentlobo, ezinezityalo ezilithoba ezahlukeneyo zomhlaba (iFynbos, Grassland, Savanna, Nama Karoo, Succulent Karoo, Succulent Karoo, Forest, Subtropical Thicket, Indian Ocean Coastal Belt, kunye neDesert), ubutyebi bamanzi acocokileyo ezinto eziphilayo ezahlukeneyo, kunye nendalo ebanzi yezinto eziphila elwandle, kunye neentlobo ezingaphezu kwama95 000 ezaziwayo zezinto eziphilayo.¹⁵

Kwiminyakayakutshanje, kubekho ilahleko enkulu kunye nokutshatyalaliswa kokusingqongileyo (ekwaziwa nje ngokuba ziindawo zokuhlala) ekufuneka kutyalwe kuzo, izilwanyana kunye nabantu baphile. Izinto ezinegalelo ekulahlekeni kweendawo zokuhlala ziquka: uguquguquko lwemozulu, ukusetyenziswa komhlaba ngokungazinzanga kunye nokusetyenziswa kolwandle ngokungazinzanga, iiprojekthi ezingafanelekanga okanye ezibekwe kwindawo embi kunye neeprojekthi ezingacwangciswa ngendlela; ukuphazamiseka kwemilambo, imigxobhozo namachweba ngenxa yokutsalwa kwamanzi amaninzi kunye nongcoliseko; iintlobo zezinto eziphilayo ezihlaselayo (zombini izityalo nezilwanyana); ukutshatyalaliswa kunye nokuvuna ngokugqithisileyo kweentlobo zezilwanyana, ngakumbi ezo zaselwandle; ukurhweba ngokungekho mthethweni ngezilwanyana zasendle kunye nokunye ukusetyenziswa kwemithombo ngokungekho mthethweni.¹⁶

Ukuphononongwa kweoyile nerhasi, imigodi, amandla kunye namaziko amandla ombane owenziwe ngamanzi zenza izoyikiso ezongezelelweyo ngokungcolisa kobomi bezinto zaselwandle, iintlanzi, iintaka, amafudo, iminenga, ookrebe, onombombiya, iingqaqa zecoral kunye nezinye iintlobo zezilwanyana. Olu phuhliso lunokukhokelela kobu bungozi bulandelayo kwiintlobo sezinto eziphilayo zaselwandle:

- Ingxolo enkulu, imisebenzi yabantu kunye nokuhamba kwezithuthi ukusuka ekombeni okuphazamisa unxibelelwano lwezilwanyana, ukuzala kunye nokuqandusela.
- Iintlanzi kunye nezinye izilwanyana ezifudukayo kwindawo leyo.
- Ingxolo echaphazela iintlanzi kunye nezilwanyana ezincancisayo zaselwandle ezixhomekeke kwisandi ukuze zifumane ukutya, ukuhambahamba kunye nokunxibelelana.

Xa ukwenzakala kwezidalwa ezithile, kunokuphumela kwizilwanyana nezityalo zizonke, isoyikisele yonke intlobontlobo zezinto eziphilayo kunye nempilo yezityalo nezilwanyana.

Ifuthe kumaLungelo eNkcubeko nawoNqulo

Olu phuhliso lwaselwandle nakufutshane nonxweme lunokuphazamisa indlela yokuphila yonqulo neyenkcubeko yabalobi abakhasayo abanoxibelelwano nolwandle. Ezi projekthi zingonakalisa izibonelelo zenkcubeko kunye nezonqulo, zitshabalalisa imvakalelo yamalungu asekuhlaleni, ubuni kunye nesidima. Umzekelo, uphuhliso oluyingozi lunokubangela utshintsho kubuninzi beentlanzi kunye neendawo zokufudukela ezikhokelela kwilahleko enkulu yeendlela zokuloba zemveli, zesintu nezolonwabo. Oku akupheleli nje ngokuba sisoyikiso kubomi, kodwa kuphinda kwenze buthathaka unxibelelwano loluntu ngokomoya wokunqula nangokwenkcubeko nolwandle.

¹⁵ Isikhokelo ngeziPhilayo ezaHlukeneyo kuZwelonke sika2019 ukuya 2024.

¹⁶ Isikhokelo ngeziPhilayo ezaHlukeneyo kuZwelonke sika2019 ukuya 2024.



Ifuthe kuLuntu nezoQoqosho

Uluntu lwabalobi abakhasayo luhlala luphazamiseka kwiimpilo yalo nakwindlela yokuphila yemveli ngenxa yotshintsho kusetyenziso lomhlaba nolwandle. Uluntu lungaphulukana nomvuzo ukuba luxhomekeke kukhenketho okanye kumashishini asekelwe kwezaselwandle, anokuthi achatshazelwe luphuhliso lweoyile nerhasi. Abantu abaninzi kwiidolophu eziselunxwemeni baphila ngokuxhomekeke elwandle. Ngoko ke, ezi projekthi zinokuba yingozi enkulu kuqoqosho lwengingqi kunye nempilo yabo baxhomekeke elwandle.

Ifuthe kuGuquguquko lweMozulu

Ukwembiwa kwemigodi elunxwemeni nangaphantsi komgangatho wolwandle, iinqanawe ezivelisa amandla ombane ngamafutha efosili kunye namandla ombane aveliswa ngamanzi aphuma kumafutha efosili, zonke zikhupha iigezi ezidala ungcoliseko ezifana nekharbon dioxide kunye nemethane". Ezi gesi zifudumeza umoya (jonga umfanekiso ongezantsi). Oku kubizwa ngokuba "kukufudumala kwehlabathi" kwaye kukhokelela ekunyukeni kwamaqondo obushushu emhlabeni naphantsi kolwandle. Oku kunyuka kwamaqondo obushushu kunokubangela iintlekele ezingongezekileyo ezifana neetsunami, imililo yamadlelo, izaqhwithi, ukuwa kodaka, imbalela kunye nokufa okunxulumene nobushushu.

Amashishini eoyile nerhasi anegalelo elingaphezu komyinge wama42% erhasi edala ungcoliseko kwi-hlabathi, nto leyo ebangela ukuba ibe ngowona nobangela wokuguquguquka kwemozulu.



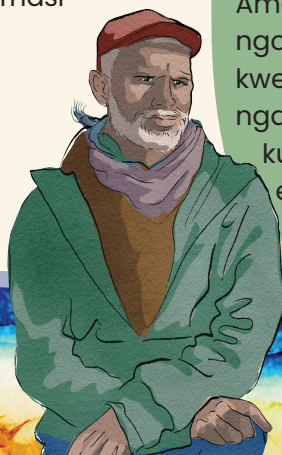
Kutheni i1.5 degrees ibalulekile

Umhlaba wethu ubufudumala ngo-kukhawuleza okoko kwaqalisa ukwenziwa kwemizimveliso ngeminyaka yoo1800 xa ukusetyenziswa kwamafutha efosili kuye kwabonakala njengento ehamba phambili. Amafutha efosili akhupha iiges ezi-dal aungcoliseko ezibamba ubushushu emoyeni, zidale "ukufudumala kwehlabathi". IPhaneli yeHlabathi yoGuquguquko lweMozulu ilumkisa ukuba kufuneka sigcine ukunyuka kweqondo lobushushu lwemhlabeni jikelele lungaphantsi kwe1.5 ° C (xa kuthelekiswa namanqanaba angaphambi kwexesha lemizimveliso) ukuba sifuna ukuphepha intlekele. Ukunyuka kwe--2 ° C kuya kuba nemiphumo emibi kakhulu kwi-hlabathi.

Ngaphandle kongenelelo lwamazwe ngamazwe, amazwe kunye neenkampani azenzi ngokwaneleyo ukunciphisa ukukhutshwa komoya odala ungcoliseko. Ukuba siqhubeka nendlela yethu yangoku, ukufudumala kwehlabathi kuya kudlula ku1.5°C. Kufuneka ke ngoko sithathe amanyathelo ngoku. Kufuneka ke ngoko sithathe amanyathelo ngoku.

Ukuhlangabezana nesiganeko ekujoliswe kuko yi2°C, isinye kwisithathu soovimba beoyile, isiqingatha soovimba berhasi kunye nangaphezulu komyinge wama80% yoovimba bangoku bamalahle kufuneka bahlale bengasetyenziswa ukususela ngo2010 ukuya kowama2050. Oku kuthetha ukuba nkqu ioyile nerhasi esele ifunyenwe ayinakusetyenziswa ukuba sifuna ukuthintela intlekele yehlabathi ngokubanzi.

Amazwe afana noMzantsi Afrika kufuneka, ngoko ke, anqumamise ukuhlola nokuveliswa kweoyile nerhasi. Nangona kunjalo, ngaphandle kwazo zonke izilumkiso, amazwe kunye neenkampani zisakhlangela ioyile entsha kunye nerhasi kwaye siyayivumela.



KUTHENI IMOZULU IGUQUGUQUKA?





Uguquguquko lwemozulu lunefuthe njani kuluntu olulobayo noluselunxwemeni?

Njengoko ihlabathi ngokubanzi lifudumala, ubushushu bolwandle buyanda, buchaphazela ubomi baselwandle kunye neendawo zokuhlala ezibalulekileyo kuluntu lwabalobi abakhasayo. Uluntu olulobayo sele lubona utshintsho kwindlela yokufuduka kweentlanzi, iindawo ezikuzo kunye namanani azo, nto leyo ekhokelela ekubeni zibe mbalwa iintlanzi ezifumanekayo ukuba zilotywe, nto leyo echaphazela ngqo ubomi boluntu olulobayo.

Uguquguquko lwemozulu kubangela izaqhwithi ezinkulu kunye nokunyuka kwazo, kubeka imingcipheko kubalobi njengoko ulwandle olulwatyzayo lusenza umsebenzi wabo ube yingozi ngakumbi.

IAfrika ifudumala ngokukhawuleza kunelizwe jikelele kwaye, ngenxa yoko, ibonakaliswe ngakumbi kwizinto ezothusayo ezinxulumene nemozulu, ezibandakanya izikhukhula, imbalela, izaqhwithi, ubhushushu bomoya kunye nezitshabalalisi. Ezi ziganeko zinokutshabalalisa amakhaya ezityalo kunye nemivuzo, ziqhube iintsapho esele zisengozini kwintlupheko egqithisileyo.

Ufundo olusekelwe kuLuntu: Izikhukula zaseThekwini

Ngo2022, isixeko saseThekwini eMzantsi Afrika, saba nezikhukula ezimandla. Lo mmandla ufumene imvula engaphezu kwama300mm kwiiyure nje ezingama24. Esi siganeko sibuhlungu sibangele ukuba abantu abangama459 baphulukane nobomi babo kwaye abantu abangama88 basalahlekile ekupheleni kuCanzibe ka2022. Ngaphezulu kwamakhaya angama4000 onakalisiwa, abantu abangama40 000 bashiyeka bengenamakhaya, kwaye abantu abangama45 000 bashiyeka bengasebenzi okwexeshana. Iindleko zeziseko ezingundoqo kunye nomonakalo woshishino ziqikelelwa malunga neebhiliyoni ezingama40 zeeRandi.

Uphando olwenziwa yiYunivesithi yaseWits luphawule oku “njengeyona ntlekele yendalo embi kakhulu engazange ibonwe KwaZulu-Natal (KZN) ngokwentlanganisela yabantu abalahlekileyo, amakhaya kunye neziseko zoncedo ezonakeleyo okanye ezitshatyalalisiweyo kunye nefuthe kuqoqosho.”¹⁷

Intlupheko inokwenza iziphumo zemozulu embi kakhulu njengoko uluntu olusesichengeni luhlala kwiindawo ezithandwa zizikhukula, lungenazindlu eziluqilima, kwaye lungakwazi ukufikelela kwimilinganiselo yothintelo efana neenkqubo ezisebenzayo zokukhupha amanzi. Kwabo bachaphazelekayo, imingeni iyaqhubeka ixesha elide emva kokuba isikhukula sehlile. Abaninzi abanayo i-inshorensi, bexhomekeke kurhulumente nakwiminikelo ukuze bokhe ngokutsha. Kusenokufuneka bafuduke, behambela kude kwiinkonzo eziyimfuneko. Ukonakaliswa kweenkqubo zogutyulo lindle amdaka eThekwini kukhokelele kungcoliseko lwemilambo nolwandle, okwenzakalisa abalobi nabasebenzi bezokhenketho. Ukusukela ngo2024, ngenxa yongcoliseko kuye kwavalwa iilwandle ezithile ngamaxesha athile, lunciphisa ukhenketho kwaye luchaphazela uqoqosho lwengingqi.

¹⁷ <https://www.wits.ac.za/news/latest-news/general-news/2023/2023-04/the-2022-durban-floods-were-the-most-catastrophic-yet-recorded-in-kwazulu-natal.html>

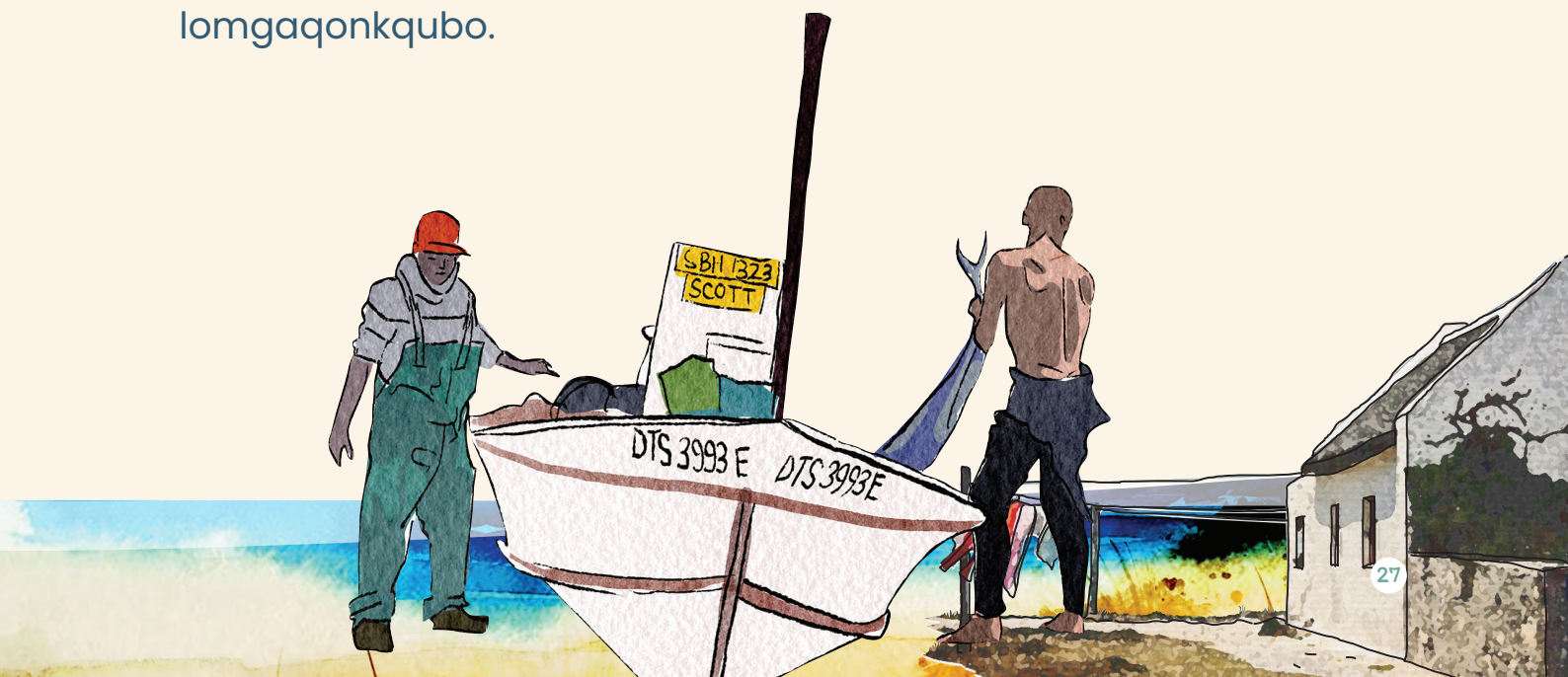


5. Ukusebenzisa Amalungelo wam okusiNgqongileyo: Ukuzibandakanya

UMthetho woLawulo lokusiNgqongileyo kuZwelonke (NEMA) ugxininisa ukuba ubulungisa bendalo esingqongileyo kufuneka bulandelwe, bukhokele naluphi na uphuhliso nokuqinisekisa ukuba luzinzile ngokwentlalo, kokusingqongileyo kunye noqoqosho olunzinzileyo.

Uluntu kufuneka lwaziswe kwaye kubonswane ngalo phambi kokuba kwenziwe naluphi na uphuhliso. Uluntu lunelungelo lokucela ulwazi, ukubuza imibuzo kunye nokwazisa umphuhlisi ngefuthe lophuhliso kuluntu lwabo. Ukuba bakholelwa ekubeni amalungelo abo ayanyhashwa, uluntu lukwanalo nelungelo lokuthatha amanyathelo asemthethweni ngakumphuhlisi okanye ngakurhulumente.

Kwesi sahluko, uza kufunda ngendlela yokuthatha inxaxheba ekuthathweni kwezigqibo malunga nophuhliso kwingingqi yakho, ngokugqale kwiinkqubo zothathonxaxheba loluntu ukulungiselela ukuvunywa kweprojekthi, kunye nokuqonda umthetho nophuhliso lomgaqonkqubo.



Ukuthatha inxaxheba kuVavanyo lweFuthe ngakokuSingqongileyo

UVavanyo lweFuthe ngakokusiNgqongileyo (EIAs) ziinkqubo apho ikamva lokusingqongileyo, ifuthe kwintlalo nezoqoqosho kuphuhliso olucetywayo zithi zihlolwe kwaye, apho kunokwenzeka, amanyathelo okunciphisa ayacetywa anokuthi anciphise okanye athintele ifuthe elingalunganga ebantwini, eluntwini nakwindalo esingqongileyo. Ezi nkqubo zenziwa ziiNgcalo zoVavanyo lokuSingqongileyo, ezizimeleyo kumphuhlisi okanye iprojekthi.

Iinkqubo zeEIA ziqwalasela ezi mpembelelo zilandelayo iprojekthi eza kuba nazo:

- **Ifuthe ngakokusingqongileyo** (elwandle, imithombo yamanzi, afana nemilambo, imifula, imigxobhozo namanzi angaphantsi komhlaba, izinto eziphilayo ezahlukeneyo, ezolimo, umgangatho womoya, nomhlaba)
- **Ifuthe kwintlalo** (kuluntu olungqongileyo, ilifa lenkcubeko engaphathekiyo, impilo, ukufuduswa ngokonqulo, umanyano loluntu, ukuphepha nokhuseleko)
- **Ifuthe kuqoqosho** (kwindlela yokuphila, uqoqosho lwasekhaya nolubanzi, ingqesho).

UVavanyo lwe-EIA lusetyenziswa ngumthathisigqibo ukugqiba ukuba anike ugunyaziso lokusingqongileyo kuphuhliso. Esi sigqibo sixhomekeke ekubeni iimpembelelo ezivavanyiweyo kunye namanyathelo okunciphisa acetyiswayo abonwa amkelekile. Umthathisigqibo, obizwa ngokuba ngumgunyazisi onelungelo, unokuba ngurhulumente wasekhaya okanye wesizwe, ngokuxhomekeke kuhlobo lomsebenzi.

Ukusukela ngo2024, iinkampani kufuneka zibe nawo womabini amalungelo kumba imigodi, imvume yokwemba, ilungelo lokukhangela okanye imvume yokukhangela, kunye nesigunyaziso sokusingqongileyo. Oku kubizwa ngokuba yinkqubo enye yokusingqongileyo.

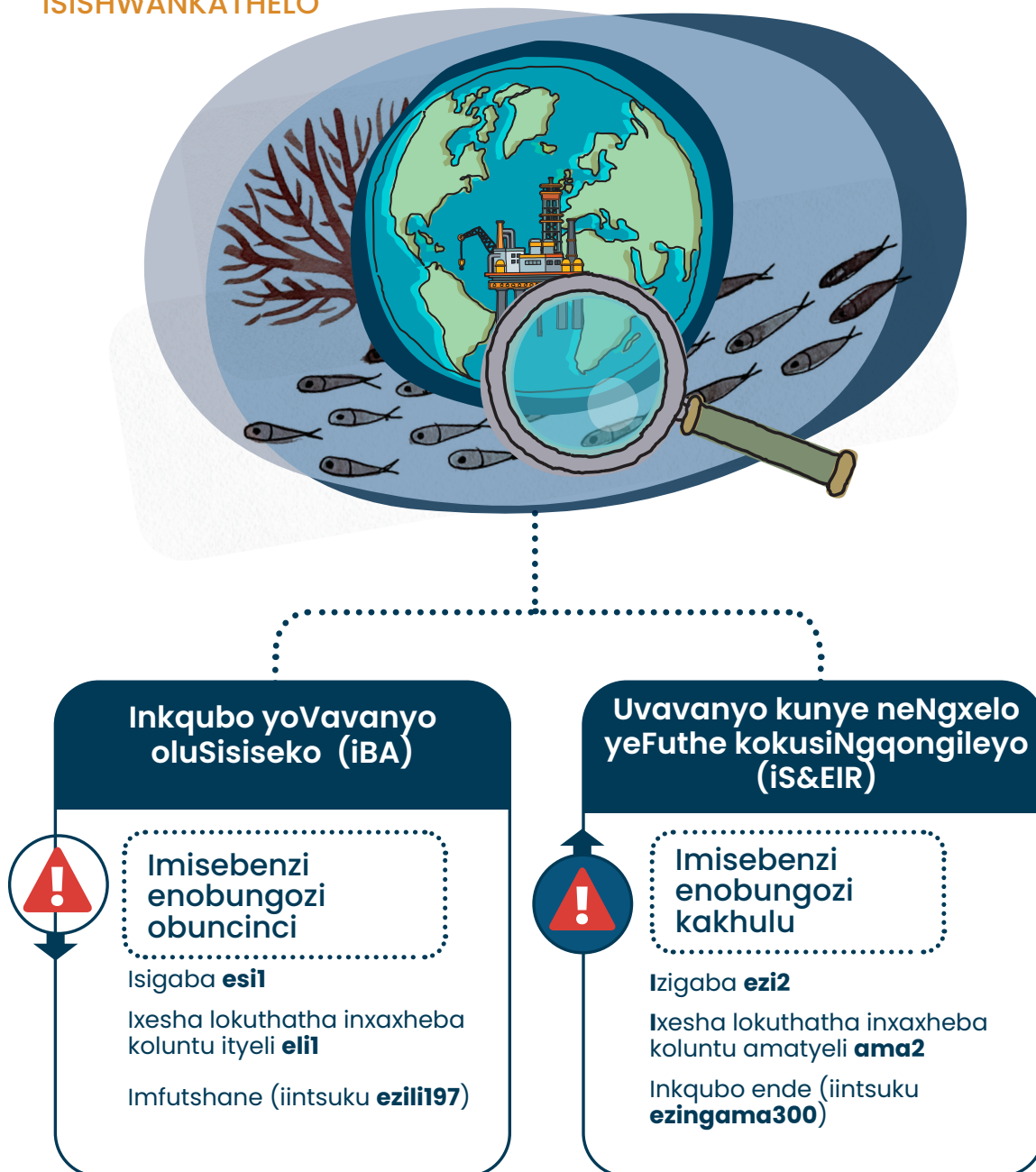


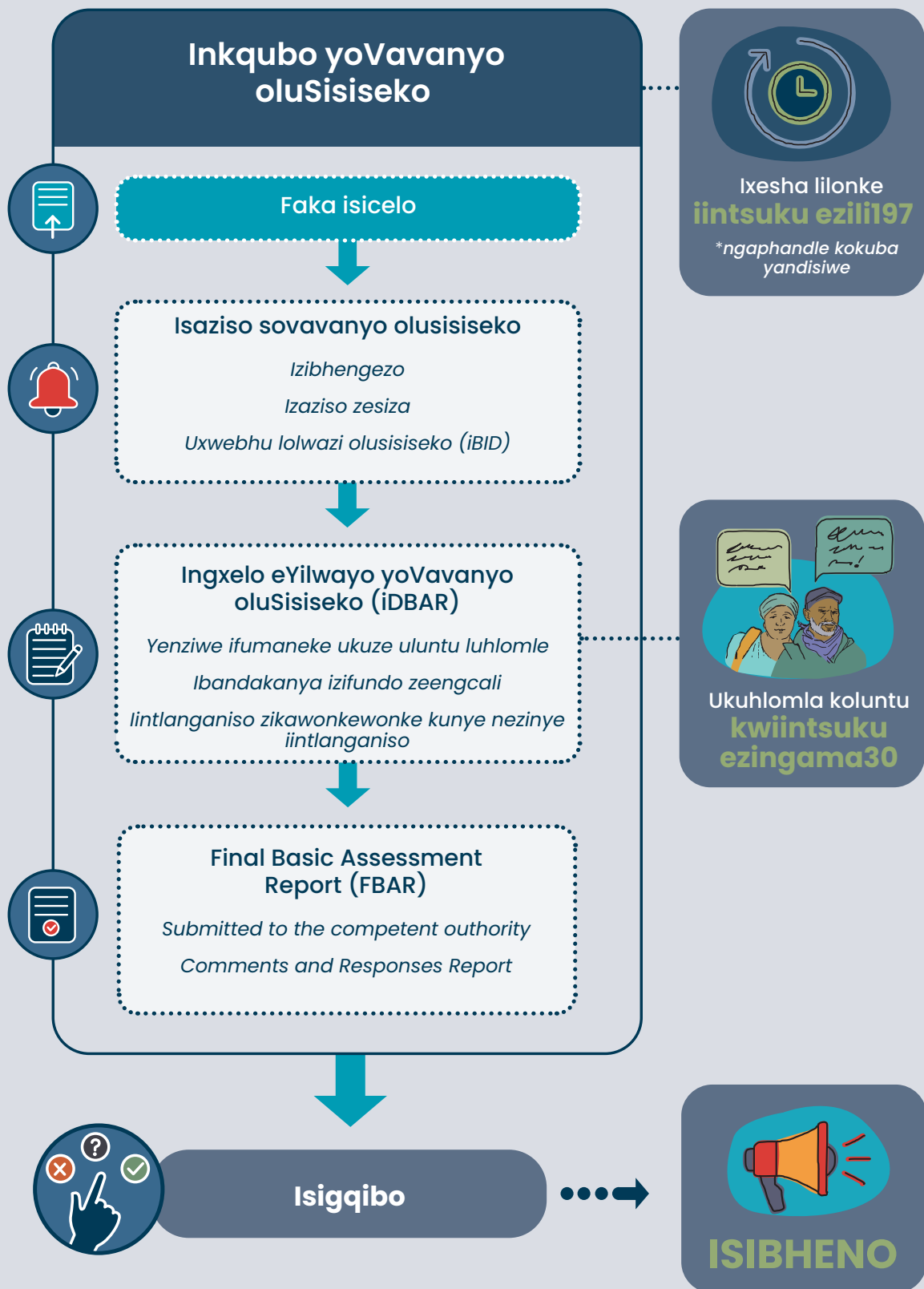
Iindidi zeenkqubo zeEIA

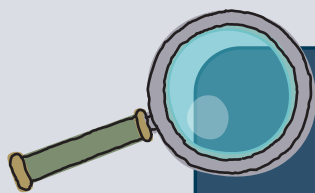
UMthetho woLawulo lokusiNgqongileyo kuZwelonke (NEMA) udwelisa imisebenzi efuna iEIA. Ukongeza, uMthetho woPhuhliso lweMithombo yeziMbiwa naMafutha, ka2002 (MPRDA) ulawula imisebenzi yezimbiwa namafutha efuna iEIA ngokwemiqathango yeNEMA.

Imisebenzi ebangela ubungozi obunokubakho obuncinci ifuna inkqubo yoVavanyo oluSisiseko (BA) kunye nemisebenzi enokuthi ibangele umonakalo omkhulu ifuna inkqubo yeNgxelo yeFuthe "INGxelo yeMpembelelo yokuSingqongileyo (i-S&EIR)", ngamanye amaxesha ibizwa ngokuba yi-EIA epheleleyo.

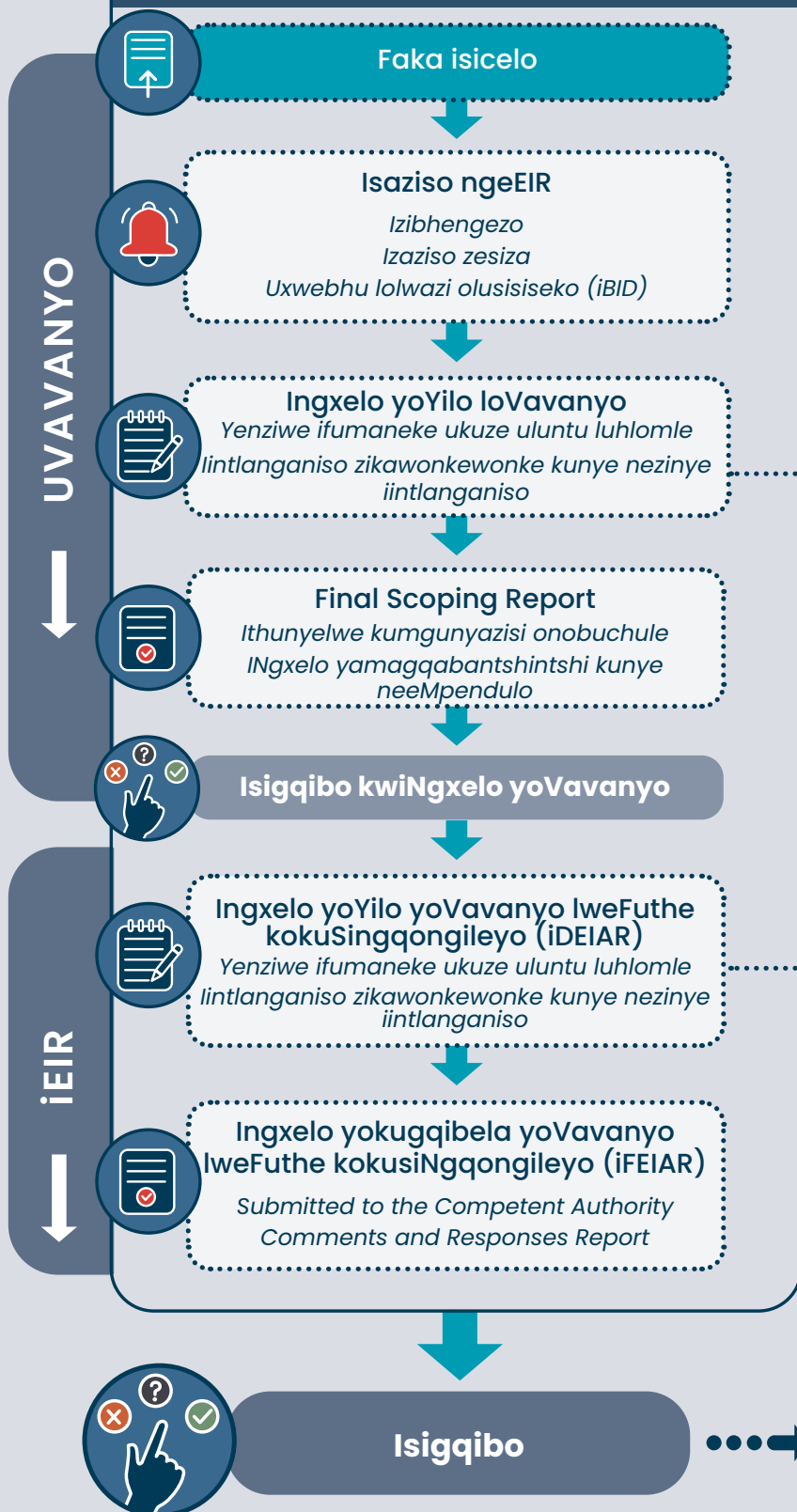
ISISHWANKATHELO







Uvavanyo kunye neNgxelo yeFuthe okusiNgqongileyo (iS&EIR)



Ixesha lilonke

300 DAYS

*ngaphandle kokuba yandisive



Ukuhlomla koluntu

kwiintsuku ezingama30



Ukuhlomla koluntu

kwiintsuku ezingama30

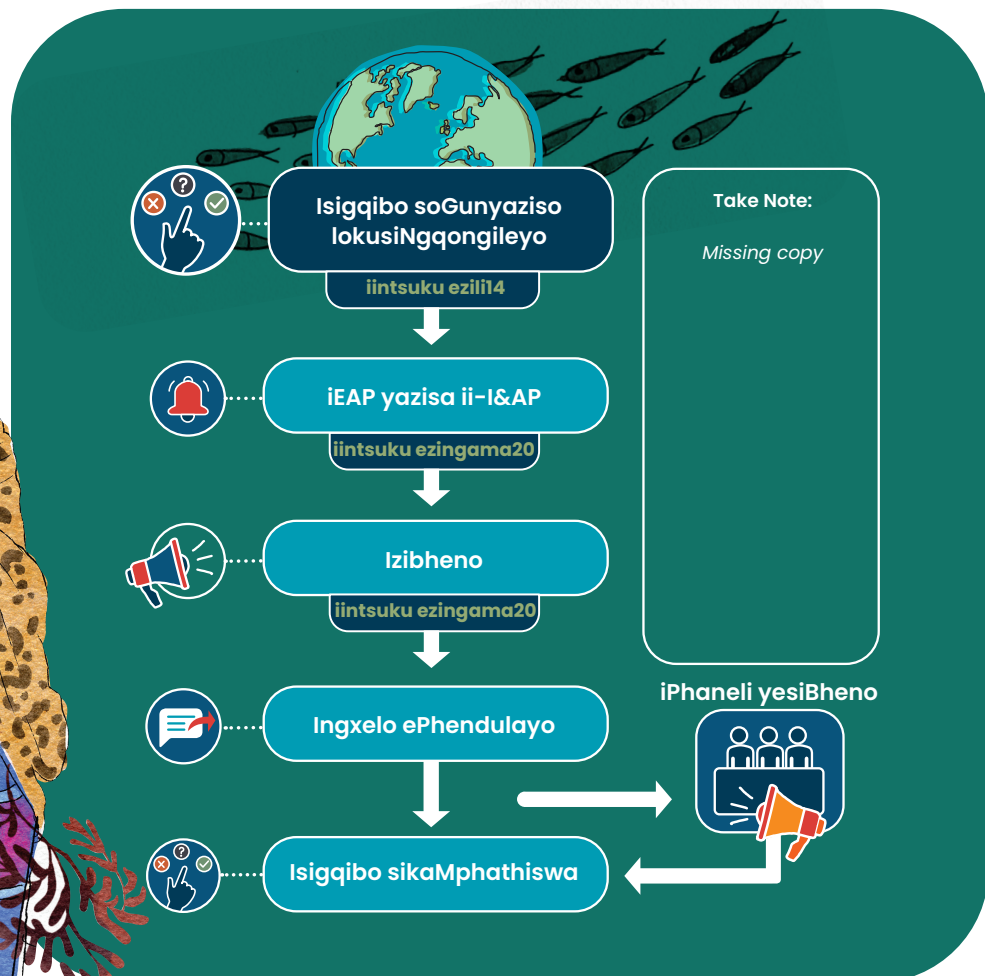


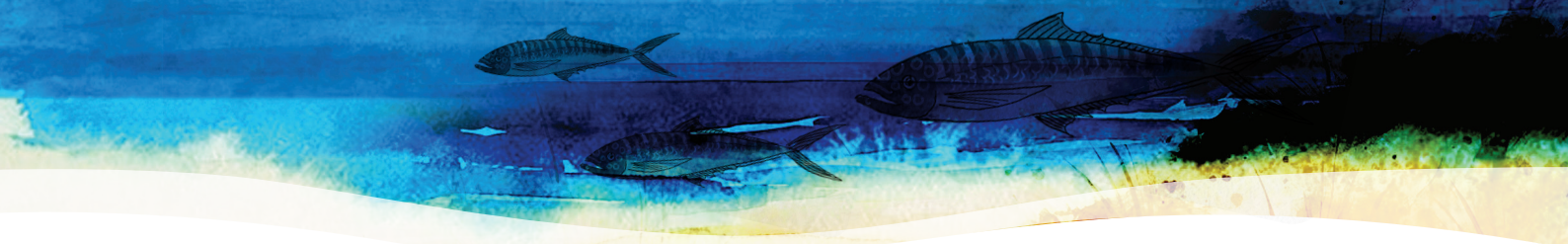
ISIBHENO

Ukubhena ngogunyaziso lokusingqongileyo

Lwakuba luvunyiwe uvavanyo lwendalo esingqongileyo, isigqibo esinezizathu kufuneka kwabelwane ngaso naMaqela anomdla naChaphazelekayo (i-I&AP).

- Ungabhena imvume yokusingqongileyo zingaphelanga iintsuku ezingama-20 kuMphathiswa wezaMahlathi, ezokuLoba nokusiNgqongileyo. I-DFE ligunya lezibheni, nokuba i-DMRE ikunike isigunyaziso.
- Isibheni kufuneka sibe **ngendlela emiselweyo**, kwiFomu yesiBheni, enokufumaneka kwiwebhusayithi yeDFE.
- Xa uthumela isibheni sakho, ikopi yesigunyaziso sokusingqongileyo kunye nobungqina bokuba usifumene isaziso sogunyaziso, kufuneka buqotyeshelwe kwi-imeyile yakho.
- Kubalulekile ukungenisa isibheni, njengoko siza kukunika ithuba lokuya enkundleni ukuba isibheni siyaliwe.





Ukubandakanyeka kwiiEIA

Inxalenye engundoqo yeEIA luthathonxaxheba loluntu, ukuqinisekisa ukuba izimvo zabo bachaphazelekayo namaqela anomdla ziyaviwa kwizigaba ezahlukeneyo. Oku kunegalelo ekubeni inkqubo ivuleleke, icace, kwaye ithembeke. Kubalulekile ukuba uluntu lubandakanyeke ukuqinisekisa ukuba amalungelo abo okusingqongileyo awanyhashwa.

Xa inkampani iqalisa uphuhliso olufuna iEIA, iza kutyumba ingcali yovavanyo lwendalo esingqongileyo (EAP) ukuba ijonge inkqubo.

Uzibandakanya njani:

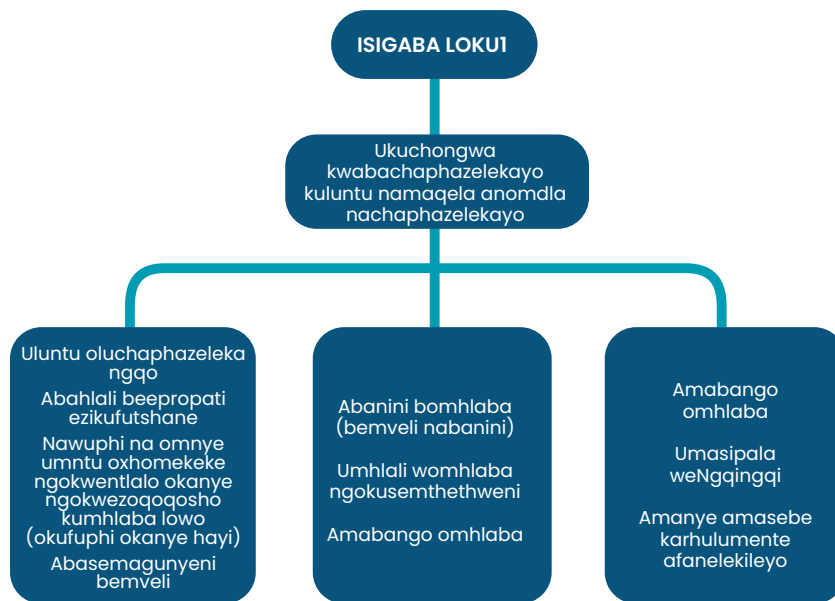
- ✓ **Bhalisa njengeQela elinomdla neliChaphazelekayo (I&P):** Ngokukhawuleza ukuba ufunde malunga nophuhliso, fumana ukuba ngubani iEAP kwaye ubhalise ngokubathumela i-imeyile. Nabani na angabhalisa njengeI&P, ayingabo abahlala kufutshane nophuhliso olucetywayo kuphela.
- ✓ **Cela amaXwebhu eProjekthi:** Amaxwebhu anxulumene neprojekthi adla ngokufumaneka kwiwebhusayithi yeEAP. I-EAP ikwafuneka ukuba ibonelele ngeekopi ezingamaphepha kwiindawo zikawonkewonke, ezinjengamathala eencwadi.
- ✓ **Zimasa kwiiNtlanganiso zikaWonkewonke:** Ukuthatha inxaxheba kwiindibano zovakalisozimvo zikawonkewonke ezibanjwa kuyo yonke inkqubo yeEIA. Buza imibuzo kwaye uchaze inkcaso okanye inkxaso yakho kwezi ntlanganiso. I-EAP inoxanduva lokumamela imibuzo yakho kunye nezinto ezikuxhalabisayo kwaye ikuphendule ngendlela engakhethi cala.
- ✓ **Ngenisa izimvo eziBhaliweyo:** Kwithuba ngalinye lenkqubo yeEIA, ngenisa izimvo eziBhaliweyo ukuphakamisa iinkxalabo zakho.
- ✓ **Funa Uncedo ukuba kuyiMfuneko:** Ukuba awukwazi ukubhala izimvo zakho, qhagamshelana neEAP kwaye ubacele ukuba babhale izinto ezikuxhalabisayo ngomlomo.



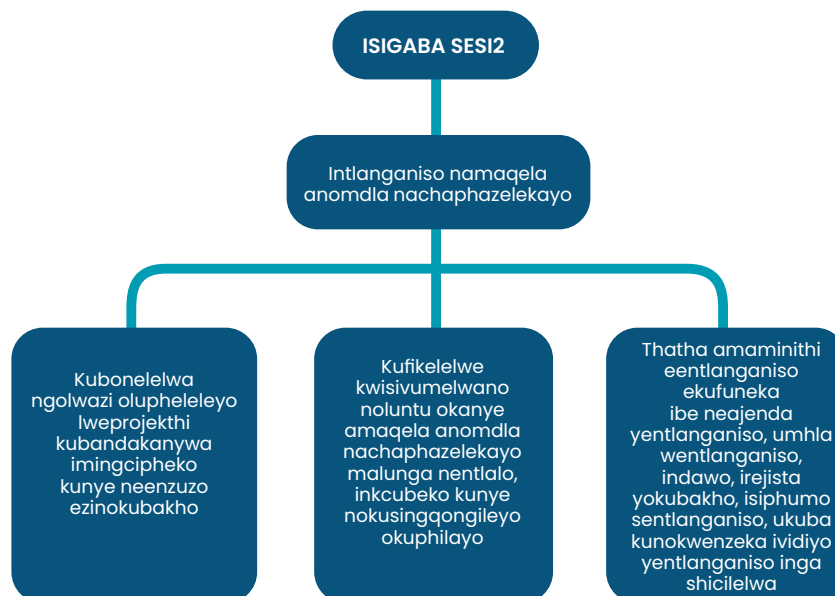
Kuyintoni ukuthathinxaxheba okunentsingiselo kwiintlanganiso zikawonkewonke?

Uluntu oluchaphazelekayo kufuneka kuboniswane nalo ngokufanelekileyo kwinyathelo ngalinye leprojekthi – ukusuka kuyilo ukuya ekuphunyezweni nasekubekeni iliso. Oku kufuna ukuthotyelwa kwemigaqo yoluntu, iinqobo ezisemgangathweni, kunye nezithethe, ngakumbi xa usebenzisana nabasemagunyeni bemveli. Inkqubo yothethathethwano ezinzileyo yandisa iinkalo zokuthathwa kwesigqibo kwaye ihlonipha iindima zoluntu, kubandakanywa nolwazi lwabo lwemveli kunye nendalo kunye neenkqubo zolawulo.

Isigaba loku1 – Ukuchonga amaqela anomdla nachaphazelekayo



Isigaba sesi2 – Ukunxulumana namaqela anomdla nachaphazelekayo



Indlela yokuqinisekisa uthethathethwano olunokuba luncedo

Ngokulandela la manyathelo, sinokuqinisekisa ukuba amaqela oluntu ayabandakanywa kwiinkqubo zokuthathwa kwesigqibo nokuba iinkqubo zenzelwe ukuhlangabezana neemfuno zoluntu oluya kuchatshazelwa zizo.

1) Ukubandakanyeka koluntu:

- ✓ Uluntu oluchaphazelekayo kufuneka lube nelizwi elibalulekileyo kwiprojekthi, kubandakanywa nolawulo lokusingqongileyo kunye nezicwangciso zokubeka iliso kwasekuqaleni.
- ✓ Abaxhasi beprojekthi kunye nabasemagunyeni kurhulumente kufuneka baququzelele ukubandakanyeka kweengcali zengingqi, ngakumbi ezo zinolwazi lwemveli.
- ✓ Iingcali zengingqi kufuneka zichongwe kwaye zibandakanyeke kwangethuba kwinkqubo.

2) Ukubandakanya noluntu oluchaphazelekayo:

- ✓ Abaphuhlisi kufuneka bamamele ngomdla iinkxalabo zoluntu kwaye banike ingxelo enenjongo, bebandakanya iinkxalabo zabo kwinkqubo yovavanyo.
- ✓ Iintlanganiselo zikawonkewonke kufuneka zibe ngolwimi oluqondwa ngabathathinxaxheba okanye makubonelelwe ngenguqulelo.
- ✓ Amaqela asesichengeni, kuquka abasetyhini, abantu abadala, nolutsha, kufuneka bakhuthazwe ukuba bathathe inxaxheba bavakalise izimvo zabo.
- ✓ Kufuneka kubonelelwe ngengxelo rhoqo kuzo zonke izigaba zeprojekthi, ukuqinisekisa ukuba igalelo loluntu libonakaliswa kwimigaqonkqubo yokugqibela, izicwangciso, okanye iiprojekthi. Ingxelo ingabhalwa kwiifomathi ezahlukeneyo, ezifana neengxelo ezibhaliweyo, ividiyo, okanye ushicilelo oluvakalayo, ngemvume yoluntu.

3) Ulwazi olufikelelekayo noluqondakalayo:

- ✓ Lonke ulwazi malunga nomgaqonkqubo, isicwangciso, okanye iiprojekthi, kubandakanywa umngcipheko kunye neenzuzo ezinokubakho, kufuneka zinikezelwe ngendlela ecacileyo neqondakalayo.
- ✓ Ulwazi kufuneka lufumaneka kwangethuba ngeelwimi ezithethwa luluntu oluchaphazelekayo nangefomathi evumela abantu abakhubazekileyo kunye nabo bangakwaziyo ukufunda.

4) Uyilo oluNgqamelene nezidingo zoluntu:

- ✓ Imigaqonkqubo, izicwangciso, kunye neeprojekthi kufuneka ziyilwe ukujongana neemfuno kunye neenxalabo zoluntu oluchaphazelekayo. Oku kubandakanya ukuchonga ubungozi obunokubakho kunye nokubandakanya ulwazi lwendawo kunye namava kwinkqubo yophuhliso.
- ✓ Iinjongo zophuhliso loluntu kufuneka zikhokele ukuqulungwa kolawulo lwendalo esingqongileyo okanye izicwangciso zokubeka iliso.



Uthathonxaxheba loluntu ekwenzeni imithetho

Uthathonxaxheba loluntu lubalulekile ekwenzeni, ukuphumeza nokunyanzelisa imithetho. Xa kusenziwa imithetho, iPalamente kufuneka ithethane noluntu, ingakumbi uluntu lwengingqi oluya kuchatshazelwa yimithetho, ukuqinisekisa ukuba imithetho ibonisa iinjongo zoluntu kunye neenqobo ezisemgangathweni. Oku kubandakanyeka kuyindlela enamandla yokuba abemi baqhube utshintsho kwintlobo, ukukhuthaza ukuthembana kunye nemvumelwano phakathi kukarhulumente noluntu.

UMAHLUKO PHAKATHI KOMGAQONKQUBO NEMITHETHO



IMITHETHO:

Imithetho ibeka imigangatho, iinkqubo kunye nemigaqo ekufuneka ilandelwe. Ukuba imithetho ayilandelwa, imiphumela iya kulandela kwabo banesandla ekwayophuleni.



UMGAQONKQUBO:

Umgakonkqubo udakanca oko urhulumente anethemba lokukufeza, kunye neendlela kunye nemiqathango aza kuyisebenzisa ukuyiphumeza. Uxwebhu lomgaqonkqubo alungomthetho, kodwa luya kuphawula imithetho emitsha efunekayo ukuze kuphunyezwe iinjongo zayo.

Amanqanaba okwenza imigaqonkqubo nemithetho

Luxanduva lwecandelo lowisomthetho (iPalamente) ukuvuma imigaqonkqubo kunye nokuwisa imithetho emitsha ukunika ifuthe lomthetho kwimigaqonkqubo. Le yinkqubo ende necothayo.

1

Urhulumente ubonelela ngombono, iinjongo kunye nesikhokelo: Urhulumente udala umbono kunye neenjongo zemiba ethile, ekhokelela kuyilo olubizwa ngokuba luXwebhu leNgcaciso yoMgaqonkqubo. Olu xwebhu luchaza izimvo zentsusa zomthetho kwaye kwabelwana ngalo ukuze uluntu lunike ingxelo. Emva kokuqokelelwa kwezimvo, kuqulunqwa uxwebhu lwengxoxo oluneenkukacha ngakumbi, olubizwa ngokuba luXwebhu leNgcaciso yoMgaqonkqubo, oluchaza umgaqonkqubo karhulumente.

2

Ukwamkelwa koxwebhu lengcaciso yomgaqonkqubo: Emva kwengxoxo mpikiswano, umgaqonkqubo wokugqibela upapashwa njengoXwebhu leNgcaciso yoMgaqonkqubo. Olu xwebhu lusebenza njengesicwangciso esineenkukacha esinokukhokelela kwimithetho emitsha. Luxoxwa ePalamente ize yamkelwe yiKhabhinethi.

3

Ukuyilwa koMthetho oSaYilwayo: UXwebhu leNgcaciso yoMgaqonkqubo lingakhokelela kumthetho omtsha. Ukuba kufuneka umthetho omtsha, iSebe okanye uMphathiswa uyawubhala, aqale awubize njengoYilo lomthetho oSaYilwayo. Wakuba uthiwe thaca ePalamente, uba nguMthetho oSaYilwayo.

4

Ukuphunyezwa kowiso-mthetho: Wakuba nje uMthetho oYilwayo wazisiwe, uya kunikwa inani kwaye ukhutshwe njengoMthetho oSaYilwayo, umzekelo, B6 wama-2024 kwaye udlulele kwinkqubo yokuba ngumthetho. Lo Mthetho uYilwayo uthunyelwa ukuba uqwalaselwe zizo zombini iziNdlu zePalamente. – iNdlu yoWiso-mthetho (NA) kunye neBhunga leSizwe lamaPhondo (NCOP) – abaya kuthi bayithumele kwiKomiti efanelekileyo okanye kwiKomiti ekhethekileyo ukuba iqwalaselwe. UMgaqo-siseko ufuna ukuba iNdlu yoWiso-mthetho yeSizwe kunye neBhunga leSizwe lamaPhondo zikhuthaze intatho-nxaxheba yoluntu kwiinkqubo zabo zomthetho kunye nepalamente. INdlu yoWiso-mthetho yeSizwe kunye neBhunga leSizwe lamaPhondo okanye nayiphi na iKomiti ngoko, ifumene izikhalazo ezibhaliweyo okanye zomlomo, izimvo okanye izimvo ezingeniswayo kuluntu malunga nemithetho eyilwayo epapashiweyo.

Eli lelona xesha lilungileyo lokuphembelela utshintsho okanye ukuchasa imiqathango yoMthetho oYilwayo. Ukuba lo Mthetho uYilwayo ubandakanya umba obalulekileyo eluntwini, iNdlu yoWiso-mthetho yeSizwe kunye neBhunga lamaPhondo leSizwe kufuneka ziququzelele kwaye ziqhube iindibano zovakalisizo-zimvo kuwo onke amaphondo, ukuze kufunyanwe igunya ebantwini malunga nokuba umthetho lowo mawuwiswe okanye ungawi kwaye ungoluphi na uhlobo. Emva kokuba inkqubo yentatho-nxaxheba yoluntu igqityiwe, iNdlu

yoWiso-mthetho yeSizwe kunye neBhunga leSizwe lamaPhondo kufuneka zithathele ingqalelo zonke iziphakamiso ezenziweyo, kwaye zenze isigqibo malunga nokuba iwamkele umthetho onezilungiso, okanye iwukhabe, okanye iwubuyisele kumphathiswa ofanelekileyo ukuze uwuqulunqwe ngokutsha lo mthetho uyilwayo. Ukuba iNdlu yoWiso-mthetho yeSizwe okanye iBhunga lamaPhondo leSizwe iyawamkela umthetho oyilwayo osayilwayo, ithunyelwa kuMongameli ukuze awamkele aze asayinwe. Xa uMongameli eyisayina, umthetho oyilwayo uba ngumthetho.

5

Ukuphunyezwa komthetho: Emva kokuba iPalamente iwise umthetho okanye umgaqonkqubo upapashiwe, amasebe abaphathiswa kazwelonke nawamaphondo anoxanduva lokuwusebenzisa. Ukuba kuyimfuneko, oorhulumente basekhaya banokwenza imigaqo eyongezelelweyo ukucacisa iinkcukacha zomthetho wokuqala.

Kutheni kufuneka uthathe inxaxheba kwinkqubo yokwenziwa komthetho?

Ukuthatha inxaxheba kwinkqubo yokwenziwa komthetho kubalulekile ekukhuseleni amalungelo oluntu asisiseko. Imithetho inokuwanciphisa amalungelo, kodwa loo mida kufuneka ibe nengqiqo kwaye ithetheleleke kuluntu ngokuvulelekileyo nangentando yesininzi. Ukuqinisekisa ukuba imithetho inobulungisa kwaye ayinyhashi amalungelo omgaqosiseko, kubalulekile ukuthatha inxaxheba kwabemi.

INkundla yoMgaqosiseko (eyona nkundla iphakamileyo eMzantsi Afrika) mvanje igqiba kwelokuba:

“Intathoxaxheba yoluntu isebenza njengesikhuseli sokuthintela umdla wabo bathi babekwe bucala bangahoywa okanye Ukubaluleka kokuthatha inxaxheba yoluntu ekuqhubeleni phambili iphulo lentanto yesininzi yaseMzantsi Afrika ithathelwa phantsi kukungakhathali ngokupheleleyo koorhulumente wobukoloniwali nowocalucalulo ngakwiimbono zabantu xa bequqa ezinkundleni zomthetho.”

UJaji Theron kuMngeni woMgaqosiseko kuMthetho wobuNkokheli beMveli nobuKhoi-San (uMogale kunye nabanye ngokuchasene noSomlomo weNdlu yoWisomthetho yeSizwe kunye nabanye).

ICandelo lama72(c) nele118(1) loMgaqosiseko lifuna iPalamente kunye nezindlu zowisomthetho zamaphondo ziququzelele intathoxaxheba yoluntu kwinkqubo yokwenziwa komthetho ngokubonelela ngamathuba anentsingiselo okuthatha inxaxheba kwinkqubo yokwenziwa komthetho, nokuqinisekisa ukuba abemi banezakhono ezifunekayo thatha inxaxheba.

Uthatha inxaxheba njani?



1

Ungenza isingeniso esibhaliweyo kwikomiti yePalamente okanye uphawule ngomgaqonkqubo xa kuthe kwakho isaziso.

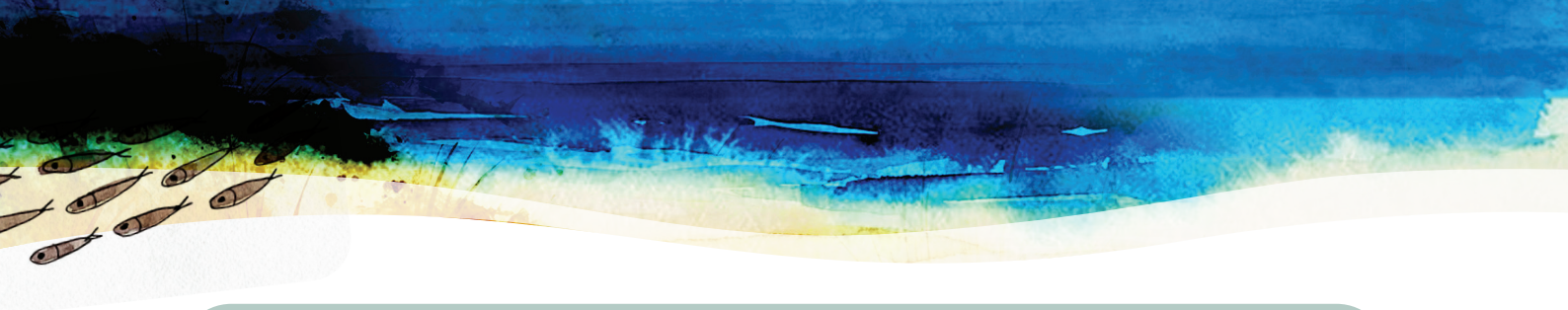


2

Ungazimasa iintlanganiselo zoluntu ezibanjwe ngeMithetho esaYilwayo yiPalamente kwaye wenze izingeniselo ngomlomo.

Ngokwenza nayiphi na kwezi, unokukwazi ukuphembelela uluvo lwamalungu ekomiti axoxa isiqwenga somthetho oyilwayo phambi kokuba ube ngumthetho.

Gcina umkhondo kwaye ube nomdla kwimithetho, imigaqonkqubo kunye nolawulo lwelizwe ukuqinisekisa ukuba amagosa karhulumente aphenandle.



Uyilo lweMithetho esaYilwayo iyfumanekayo ukuze uluntu luphefumle ngayo inokufumaneka kwiwebhusayithi yePalamente yeQela lokuBeka iliso ku-pmg.org.za okanye kwiGazethi kaRhulumente kwiwebhusayithi yeSebe leMisebenzi yoShicilelo kaRhulumente ku-gpwnonline.co.za

Ukufumana uLwazi ngokusebenzisa iZicelo zePAIA

UMthetho wokuPhakanyiswa koFikelelo kuLwazi (PAIA)¹⁸ unika isiphumo kwilungelo lokufikelela kuLwazi phantsi kweCandelo lama32 loMgaqosiseko woMzantsi Afrika.

Incwadana yePAIA: Iqumrhu loluntu ngalinye likarhulumente kufuneka libe nencwadana yePAIA, ebandakanya iinkcukacha ngendlela yokungenisa isicelo solwazi kunye neefomu ezifunekayo. Ungazifumana ezi ncwadana:

- Kwiwebhusayithi yequmrhu loluntu.
- Kwiofisi yayo eyintloko ngexesha leeyure zomsebenzi.
- Ngokucela ikopi eprintiweyo, nangona kusenokubakho iindleko.
- Iinkcukacha zoqhagamshelwano zegosa lolwazi kwiziko likarhulumente ngalinye ziya kubandakanywa nazo.

Ukufaka Isikhalazo: Ukuba iqumrhu loluntu alisiphenduli isicelo sePAIA kwiintsuku ezi-ngama30 kwaye alinikezi zizathu zibhaliweyo zokulibazisa, ungafaka isikhalazo kuMlawuli woLwazi.

Ngubani onokuCela olu Lwazi: Nabani na, nokuba ngummi weli okanye hayi, angenza isicelo phantsi kwePAIA, kodwa kufuneka senziwe kusetyenziswa ifomu esemthethweni.

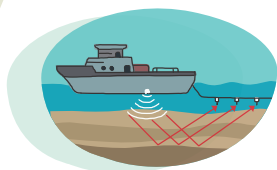
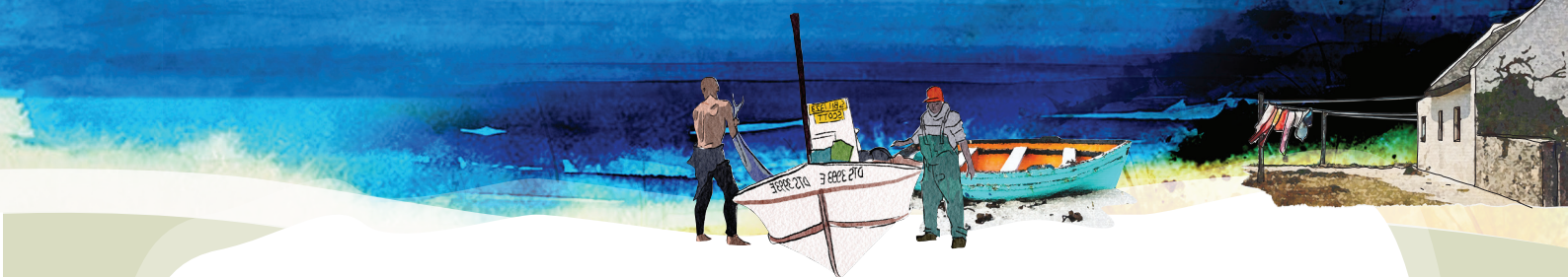
Isicelo kumaQumrhu abucala: Xa usenza isicelo kwiziko labucala (njengenkampani yeoyile okanye yerhasi), kufuneka uchaze ukuba kutheni ufuna ulwazi ukukhusela okanye ukusebenzisa elinye ilungelo. Esi sizathu kufuneka sidlulele ngaphaya nje kwelungelo lokufikelela kuLwazi. Umzekelo:

- Unokucela izicwangciso kwinkampani ukubeka iliso kwimpembelelo yayo yongcoliseko kuluntu lwakho, ukukhusela ilungelo lakho lokusingqongileyo okunempilo.
- Ungafuna iirekhodi ukufumanisa ukuba ungafaka ibango lembambano komnye umntu.

Ilungelo lokucela ulwazi malunga nokusingqongileyo: Akukho mntu unokwalelwa ukufikelela “kuLwazi malunga neziphumo zayo nayiphi na imveliso okanye uvavanyo lwendalo esingqongileyo okanye olunye uphando olunikezelwe liqela lesithathu okanye isiphumo solo naluphi na uvavanyo okanye uphando olwenziweyo okanye egameni leqela lesithathu kwaye ukubhengezwa kwalo kuya kutyhila. ukhuseleko loluntu olukhulu okanye umngcipheko wokusingqongileyo.”¹⁹

¹⁸ UMthetho wokuPhakanyiswa koFikelelo kuLwazi we2 ka2000.

¹⁹ Icandelo 36 loMthetho wokuPhakanyiswa koFikelelo kuLwazi we2 ka2000.



Ufundo olusekelwe kuLuntu: Abahlali abangabalobi eMzantsi Afrika basebenzisa umthetho ukucela umngeni kuvavanyo lwenyikima kwiilwandle zabo

Ngo2021 no2022, abahlali abangabalobi eMzantsi Afrika, bexhaswa yimibutho engenzi nzuzo, basa iinkampani ezimbini ezinkundleni zamatyala ezazifumene imvume nogunyaziso kurhulumente ukuba zenze uvavanyo lwenyikima kumanxweme elizwe.

Inkampani yokuqala, u**Shell**, enobudlelwane baseBritane namaDatshi yayibhengeze ukuba iza kuqala uvavanyo lwenyikima e**Wild Coast** kweyoMnga ka2021, okwakhokelela ekubeni kusiwe enkundleni amatyala amabini ahlukeneyo. Eyokuqala ayizange iphumelele, kodwa eyesibini yakwazi ukunqanda uShell ukuba ivavanye inyikima de inkundla yakwazi ukujonga ukuba imvume yabo ifunyenwe ngokusemthethweni na.

Inkampani yesibini, inkampani yaseAustralia ebizwa ngokuba yi**Searcher**, ibisenza uvavanyo lwenyikima ku**Nxweme oluseNtshona** ngo2022 emva kokufumana imvume yokuphinda ibuye. Uluntu olukunxweme lwakhawuleza lwahlanganisana ukuze kuyekwe ukuvavanywa ngakumbi kwaye lwafumana isithintelo kwinkundla.

Inkampani zisebenzisa uvavanyo lwenyikima ukufumanisa ukuba kukho iintsalela zeoyile okanye zerhasi phantsi komgangatho wolwandle. Iinqanawe ezisebenzisa omoya oshushu onomthamo omkhulu zikhupha isandi esihlayo sisiya kumgangatho wolwandle, nto leyo ivelisa umfanekiso onokubaxelela ukuba kukho ikweentsalela zeoyile nerhasi kwindawo ethile. Emva koko bamba "amaqula okuvavanya" kwaye bakhuphe enye yezi ntsalela. Bahlalutya iisampulu zezi ntsalela ukumisela ukuba yintoni kwaye ingakanani na. Ukuba baziva ngathi kunokubakho umthambo omninzi weoyile okanye irhasi owezenza ukuba ukuseka ioyile kunye nezixhobo zerhasi kube nengeniso, baya kuqalisa ukwakha iziseko eziyimfuneko zokuvuna ioyile nerhasi - kubandakanywa izixhobo kunye nemibhobho, kunye nezixhobo eziselunxwemeni.

Uvavanyo lwenyikima lunokuchaphazela ubomi baselwandle. Uluntu olulobayo kwezi meko lukholelwa ukuba ubomi babo kunye nolwandle ngokwalo buya kuba bubi ngakumbi emva kovavanyo lwenyikima, njengoko iintlobo ezithile zeentlanzi ziya kuchaphazeleka kakubi. Nangona kunjalo, luncinci kakhulu uphando olwenziweyo olubonisa ifuthe lokwenene kwizinto eziphilayo zaselwandle. Nangona uvavanyo lwenyikima luqhubeka amashumi eminyaka, ukuphanda ifuthe lovavanyo lwenyikima kubiza kakhulu kwaye ziinkampani ezinkulu kuphela ezikwaziyo ukwenza oko. De sibe sazi ngakumbi, kufuneka senze ngononophelo.

Okucacileyo kukuba kukho imigangatho ethile esemthethweni ekufuneka kuhlangatyezwane nayo xa inkampani ifuna ukuqalisa into enokwenzakalisa imo esingqongileyo kwaye yenzakalise abantu abaxhomekeke kokusingqongileyo ukuze baphile. UMzantsi Afrika unemithetho emihle kakhulu yendalo esingqongileyo ekhoyo, efana neNEMA, ukuqinisekisa ukuba lo monakalo uyancitshiswa, kodwa amaxesha amaninzi iinkampani ziyawutyeshela umthetho. Ifuna ukuba uluntu ludibane neenkundla ukuba luvakalelwa kukuba iinkampani zenza ngokungekho mthethweni, njengakwityala likaSeacher noShell.

Yeyiphi imigangatho esemthethweni abantu ababethembele kuyo enkundleni ukuze kunqandwe uvavanyo lwenyikima?

Ubungozi kwiindlela zokuphila, inkcubeko kunye nelifa lemveli kunye nokusingqongileyo. Uluntu olulobayo kuNxweme oluseNtshona kunye neWild Coast yaseMzantsi Afrika kudala luloba elunxwemeni iminyaka emininzi. Ulwandle yinxalenye yelifa labo, kodwa lukwabonelela nangendlela yokuziphilisa. Kolunye uluntu, ulwandle ngumthombo obalulekileyo wonxibelelwano lwezongqulo. Bakholelwa ukuba izinyanya zabo zihlala elwandle. Ilifa labo kunye neenkolelo zabo zenkcubeko zifanele ukukhuselwa njengoko zikhuselwe licandelo lama31 loMgaqosiseko.

Xa kuqwalaselwa ukuba ingaba ziyinike na imvume iinkampani ukuba zenze uvavanyo lwenyikima, urhulumente kulindeleke ukuba athathele ingqalelo amalungelo oluntu kunye nelungelo lendawo ephilileyo. Uluntu oluvela eWest Coast kwityala leShell kunye noluntu lwaseWild Coast kwiSeacher ityala baye enkundleni ngamatyala amabini ahlukeneyo njengoko bebona ukuba la malungelo aza kunyhashwa nguSearcher noShell.

Uthethwano nokuthatha inxaxheba koluntu. EMzantsi Afrika, uluntu lunelungelo lokufumana ulwazi malunga neprojekthi ezinokuba nefuthe kubo – kwaye banelungelo lokuthatha inxaxheba ekwenziweni kwezigqibo.

Kwiimeko zeShell kunye neSearcher, akukho nkampani iqhube iinkqubo ezibanzi kakhulu okanye ezinobulungisa zokuthatha inxaxheba koluntu. Oku kuthetha ukuba izimvo zoluntu olulobayo, kunye noluntu olunonxibelelwano nolwandle, azikhange ziqwalaselwe. Inkundla yavuma ukuba oku akwanelanga ukuba kuthathwe njengeenkqubo zothathonxaxheba loluntu ezinobulungisa.

“...uluntu linganaba elahlukileyo kwiNkosi kwaye “iNkosi” ayibhekiseli kuluntu.

(umhlathi wama93 ku *Sustaining the Wild Coast NPC and Others v Minister of Mineral Resources and Energy and Others* (3491/2021) [2022] ZAECKMHC 55; 2022 (6) SA 589 (ECMk) (1 September 2022))

Kokuphi okufundiweyo okungundoqo kwimingeni yenkundla

Kuwo omabini la matyala, iinkundla zafumanisa ukuba ezi nkampani zenze ngokungekho mthethweni. Iinkundla zabona ubungozi obunokubakho kuvavanyo lwenyikima kwilifa lemveli labantu nendlela yokuphila, kwakunye nokuba nokwenzeka kokwenzakala kokusingqongileyo, kwaye zabona ngathi iinkqubo zokuthatha inxaxheba koluntu zineziphene. Ezi ziphumo ziyimpumelelo zisixelela oku kulandelayo:

- 1 Ukuba uluntu luba namandla xa lusebenza kunye,** lusebenzisa umthetho kwaye lusebenzisa amalungelo alo.
- 2 Ukuba iinkampani zinoxanduva lokwenza iinkqubo zokubonisana ezibanzi nezilungileyo phambi** kokuba ziqalise iprojekthi. Oku kufuneka kubonakale ngolu hlobo:
 - a. Uthethwano ngolwimi oluphambili lwaloo ndawo
 - b. Ngabantu abaninzi abachaphazelekayo kangangoko kunokwenzeka, hayi nje ngeenkokeli zoluntu
 - c. Ukuba izimvo zolu luntu zithathelwa ingqalelo
 - d. Olo lwazi kufuneka lunikwe uluntu oluchaphazelekayo.
- 3 Loo rhulumente kufuneka athathele ingqalelo amalungelo abantu abanokuchaphazeleka,** kwakunye nokwenzakala okunokubakho kokusingqongileyo, phambi kokuba avumele iprojekthi ukuba ziqhubeke.



Izifinyezo ekufuneka uziqaphele:

DFFE	ISebe lezamaHlathi, ukuLoba nokusiNgqongileyo
DMRE	ISebe leMithombo yeziMbiwa naMandla
EA	Ugunyaziso lokusiNgqongileyo
EAP	INgcali yoVavanyo lokusiNgqongileyo
EIA	UVavanyo lweFuthe ngakokuSingqongileyo
I&AP	Iqela elinoMdla neliChaphazelekayo / AbanoMdla nabaChaphazelekayo
NEMA	UMthetho woLawulo lokusiNgqongileyo kuZwelonke
NA	INdlu yoWisomthetho
NCOP	IBhunga leSizwe lamaPhondo
MPRDA	UMthetho woPhuhliso lweMithombo yeziMbiwa namaFutha
PAIA	UMthetho wokuPhakanyiswa koFikelelo kuLwazi

UMthetho wokuPhakanyiswa koFikelelo kuLwazi

UMthetho wokuPhakanyiswa koFikelelo kuLwazi

IQumrhu lezoBulungisa kwezeNdalo

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Iziko lamaLungelo okuSingqongileyo

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Coastal Justice Network

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