

**Mining company director receives five year suspended sentence for environmental offences, a landmark victory for the Centre for Environmental Rights**

On 31 January, the Naphuno Regional Court handed down judgment against Matome Maponya, managing director of clay mining company Blue Platinum Ventures. Pleading guilty, Maponya was sentenced to five years in prison for causing damage to the environment in an area where the mine was not authorised to operate. His sentence was suspended for five years on the condition that the land damaged by the mine's activities is rehabilitated in the next three months. To date, this is the first time that a mining company's director has been convicted for environmental offences.

Blue Platinum Ventures has been mining clay near the Batlhabine village in Limpopo since 2007, causing much environmental damage to the surrounding area and encroaching on land where it was not authorised to operate. The mining company has also neglected to fulfil its duty to rehabilitate the land damaged by their operations, which would cost an estimated R6.8 million.

CALS Community Liaison Officer, Mashile Phalane, was instrumental in instigating the court case against Maponya and Blue Platinum Ventures. His role involved mobilising the mine-affected Batlhabine community, and forming the Batlhabine Foundation as a platform for challenging the mining activities in the region. The community tried on numerous occasions to appeal to the Department of Mineral Resources to take action against the mining company with little success. The community, represented by the Centre for Environmental Rights, eventually laid charges against Blue Platinum Ventures and its directors. Both the company and Maponya pled guilty to the charge of contravening Section 24F of the National Environmental Management Act.

CALS welcomes this landmark judgment and would like to congratulate the Batlhabine community and the Centre for Environmental Rights. The ruling shows that the courts are willing to uphold the environmental rights of communities affected by mining and to hold directors accountable for their companies' failure to comply with environmental and mining regulations. This case is an inspiring example of communities organising effectively to combat unlawful mining activities that threaten the land that is both a source of sustenance and identity.