

TENDELE MINING AND STAKEHOLDERS SIGN PEACE ACCORD

Johannesburg, 10 February 2021. During the last seven days, Tendele Mining and a wide range of stakeholders have signed a peace accord, called the Somkhele Peace Accord, after three months of detailed consultation regarding its contents.

The accord is the basis for all stakeholders to work together constructively through dialogue and mediation to seek a resolution of the current and future issues and disputes including social and environmental issues, and to reduce or eliminate tensions and to ensure the survival of the Tendele Mine.

Signatories include Inkosi Luke Mkhwanazi (also as representative of the Royal Family), the Mpukunyoni Traditional Council (TC); all members of the Mpukunyoni Community Mining Forum (MCMF) including the 6 Mpukunyoni Area Committees (MACs) representing the communities in the 6 Izigodi around the mine, representatives of the 133 Directly Affected Communities (DAC) that have signed relocation agreements in the future mining areas, the Izinduna from the Izigodi where the DAC reside (and these Izinduna are also members of the MAC's), the Mtubatuba Municipality ward councillors, the three unions AMCU, NUM and Solidarity, the Mpukunyoni Business Association (representing more than 170 local businesses), the Mfolozi Community Environmental Justice Organization (MCEJO) Somkhele), various entrepreneurs in their own name, other interested parties and community members; and Tendele Mining.

From the signatory parties' perspective, the key lies in the commitments to "dialogue and mediation between all concerned parties as mechanisms through which we will constructively air our grievances; address concerns regarding the mine's operations through a participative process, and to address and alleviate the fears and concerns of thousands of people who would be affected by the closure of the mine".

The accord is also a response to several months of tensions that culminated in the murder of Mrs. Fikile Ntshangase in October 2020 and honours Mrs Ntshangase and condemns all violence and intimidation, including separate incidents directed at Mrs. Mthethwa and Mr. Mdletshe of Ophondweni.

Tendele has offered a reward of R20,000 for any credible information that will lead to the arrest and prosecution of the perpetrators of each of these incidents. All parties want the perpetrators brought before the law.

The signatories commit to collectively finding an amicable solution to ensure a balance between community needs, the environment and the survival of the mine.

The signatories agree that the escalating violence and tension within the 220,000 strong Mpukunyoni Community stems from uncertainty relating to the future of the mine given that 40,000 people from the surrounding Mpukunyoni Community directly and indirectly benefit from the continued operation of the mine.

During the pandemic it became clear that the closure of the mine would have a devastating effect on the entire community.

If the mine can be saved, the mine will be in operation for another 10 years, and thereby able to continue to contribute to the economic development in this poverty stricken area, where 72 percent of the household income is less than R2,000 per month.

The current signatories including MCEJO Somkhele (that previously opposed Tendele in various court applications) as they prefer direct engagement over protracted court proceedings to find a peaceful resolution to prevent any violence.

The accord lists issues to be addressed including:

- Relocation issues, specifically resolving issues of the families that have not signed relocation agreements. Tendele has signed a mediation agreement to resolve these issues with the remaining 10 families and the mediation started on Monday, 9 February.
- The MCEJO Review Application Court Case. MCEJO Somkhele has committed to withdrawing the Review Application, and Tendele will continue engagement with MCEJO Somkhele (and all other parties) to address concerns, including environmental concerns as outlined in the Review Application.

Tendele has also approached Ms. Kirsten Youens, the previous legal representative of MCEJO Somkhele, and who still represents other parties contesting the expansion of the mine, to sign the agreement herself, and on behalf of or together with her clients. The parties to the accord are conscious that the accord contains certain provisions with which she and they might be uncomfortable. She has been invited to propose amendments. Alternatively, she has been invited to sign the overall commitment to constructive and peaceful interaction, but to the exclusion of any particular detail that may cause her discomfort such as a commitment to ensure the future of the mine. The parties to the settlement remain hopeful that Ms. Youens will see her way clear to aligning herself and her clients with at least the peace commitments of this Peace Accord.

In the accord, the parties also expressed gratitude towards various parties and commit to continue working with these parties that have been instrumental in prioritising sincere engagement and collaboration that has contributed to stability and prosperity in the Somkhele area for all its stakeholders.

These include all spheres of government including, the Minister of Mineral Resources and Energy, the Director General of Mineral Resources and Energy, the Ministerial Task Team, Regional Manager DMRE, the Premier of KwaZulu-Natal, the Premier's Inter-Ministerial Task Team, with the involvement of Community Safety and Liaison, the Department of Co-operative Governance and Traditional Affairs and the Royal Council, under the leadership of Prince Thulani Zulu, the Ingonyama Trust Board, the Inkosi in Mpukunyoni, the TC, the MCMF, the wonderful men and women at the Kwa-Msane Police Station, and many other leaders and all of the families living around the mine.

Communication platforms in the community, including the TC, the MCMF, MAC and DAC structures will be used to implement the Peace Accord and local and other media will immediately be used to communicate this Peace Accord.

The full text of the peace accord can be found at <https://www.petmin.co.za/pdf/media-release/somkele-peace-accord.pdf>

For further information please contact any of the following signatories:

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Mr. M.C Zungu (083 798 4751), MCMF Chairman

Mr. G.S Mkhwanazi (083 575 8882), MTC, Portfolio Head of Mining, representative of the Royal House and MCMF Exco Member

Mr. M.Q Mkhwanazi (081 036 7712), MTC Chairperson, former Portfolio Head of mining, Councilor of Mtubatuba Municipality, MCMF Exco Member

Mr. A.S.D. Mkhwanazi (083 796 0752), MTC Deputy Portfolio Head of Mining, representative of the Royal House and MCMF Exco Member.

Cllr M Mthethwa (072 605 1395), Ward 15 Councillor

Cllr S Khumalo (072 242 2100), Ward 18 Councillor

Cllr Ndlovu (079 183 4070), Ward 17 Councillor

Mr. Bheki Sithole (072 757 0846), AMCU, full time shop steward at Tendele

Mr. Irvin Bhengu (079 638 5215), NUM, full time shop steward at Tendele

Mr. Salesh Maharaj (078 831 7523), Solidarity shop steward

Mr. Mandla Ngcobo (079 779 4802), DAC Chairman, Represents the Directly Affected Community, representing 133 families who have signed relocation agreements

Mr. Sicelo Shandu (084 554 5593), CEO of Mpukunyoni Business Association, representing 170 Community-based entrepreneurs

Mr. E. Sokhulu (084 502 1951) Mpukunyoni Business Association, representing 170 Community-based entrepreneurs

Other Signatories include:

Mr. Luke Mkhwanazi, Inkosi and Royal House Representative

Ndunankulu N. Mkhwanazi, Chief of all Mpukunyoni izinduna

Mr. JM Gumede, Induna: Kwa-Myeki

Mr. T.P. Gumede, Induna: Dubelenkunzi

Mr. M.M. Gumede, Induna: Esiyembeni

Mr. L.X. Mkhwanazi, Induna: Ophondweni

Mr. M.Z. Mkhwanazi, Induna: Mahujini

Mr Sigoga Mkhwanazi, Active Community Leader

Mr. N. Mvelase, Active Community Leader

Mr. N. Masondo, Active Community Leader

Mr Ntombela, Active Community Leader

Mr. P. Mathunjwa, Community-based entrepreneurs

Mr S Sithole, Dubelenkunzi DAC Chairman

Mr M Dladla, KwaLuhlanga DAC

Ms F Mathabela, Machibini DAC Chairlady

Ms N.J. Mtshali Somkhele, MCEJO Committee Member

Mr P.J.M. Zwane Somkhele, MCEJO Committee Member

Ms. N. Ngqulunga Somkhele. MCEJO Committee Member

Mrs. D.M. Mkhwanazi, Somkhele MCEJO Committee Member

Ms N.J. Mhlaba, Somkhele MCEJO Committee Member

Ms M.N. Ndziba, Somkhele MCEJO Committee Member

*The Mpukunyoni Community Mining Forum (MCMF) is the communication structure between the mine, community members and all relevant stakeholders in Mpukunyoni, representing some 220 000 people (including the Mtubatuba Municipality).

**The Mpukunyoni Traditional Council (MTC), consists of 30 Izigodi and 6 of these Izigodi are situated around the Mine.