

7 October 2014

South Durban Community Environmental Alliance (SDCEA)  
Flat 2 John Dunn House  
Groutis Crescent  
224 Austerville Drive  
4052

Email address: [Sdcea@mail.ngo.za](mailto:Sdcea@mail.ngo.za)

Copy to : Captain Verwey

Durban Metro Police

Email address: [Kenneth.verwey@durban.gov.za](mailto:Kenneth.verwey@durban.gov.za)

Attention Mr Desmond Desa.

Dear Mr Desa.

PROTEST MARCH ORGANISED BY SDCEA ON 11 OCTOBER 2014.

We refer to your letter dated 02 October 2014 entitled "We humbly request that you come out to hear of the community and receive a statement", addressed to the General Manager of Engen.

We confirm that the letter was written to Engen as had been agreed at the meeting attended by SDCEA, the members of the South African Police Services and Engen to discuss SDCEA's application to hold a protest march on Saturday 11 October 2014

The letter advises Engen that the South Durban Community Environmental Alliance (SDCEA) and the Mothers' Prayer Group at Christ The King will be marching to highlight your concerns about cancer. Your letter further states that your aim is to raise your distresses about the impacts that chemical emissions have on the surrounding communities and the effect this is having on their health and quality life.

Furthermore your letter states amongst other things, that the protest is intended to be peaceful and will proceed to the Engen Refinery where local pastors will pray. As agreed at the meeting.

Engen was to respond to your letter on or before Wednesday the 8 October 2014.

This letter is therefore an Engen response to your letter pertaining to the organised protest march to the extent that it relates to Engen

- 1) Engen recognises and respects the right of every person to protest and organise protest marches.

- 2) However Engen objects and do not accept that the protest march should proceed to Engen Refinery as this suggests and implies that the march is directed against Engen as an organisation responsible for the alleged cancer and distresses of chemical impacts to the community
- 3) Without scientific evidence to prove that Engen is responsible, Engen regards the march as an unlawful, wrongful and malicious act, intended to injure and defame the name of Engen.
- 4) For these reasons Engen will not allow any of the activities of the protest march or associated with the march to be carried out at its main gate (the Administration Gate) or any other gate or property of Engen.
- 5) Furthermore Engen will not associate itself or participate in the protest march and cannot therefore accede to your request to receive a statement
- 6) Engen Refinery is a National Key Point installation as defined in the National Key Point of 1980 as amended. As a an owner of the National Key Point Engen has an obligation and a right in terms of the Act, to take such actions as it deems necessary in the interest of the National Key Point Installation.
- 7) In the event that the protest march proceeds to Engen Refinery despite Engen's objections, Engen will hold SDCEA as the organiser of the protest march responsible for:
  - a) Any unauthorised interference with its property or any of Engen employees that may occur during the protest march
  - b) Any use of or reference to Engen's name in a way that is wrongful, unlawful ,malicious, defamatory or damaging

We believe that your organisation will accept and respect Engen's decision and consider alternative places where it can hold the organised march



Yours Sincerely

M Jehan Zaib B M Yusof  
GENERAL MANAGER: ENGEN REFINERY