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**REPORT ON THE TEST EXCAVATION OF 2 POSSIBLE GRAVES
LOCATED AT GLENCORE LION SMELTER OPERATIONS
NEAR STEELPOORT, LIMPOPO PROVINCE**

For:

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REPORT: APAC021/103

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A handwritten signature in black ink, appearing to be 'A. Pelser', located at the bottom center of the page.

SUMMARY

Anton Pelsler (of APELSER ARCHAEOLOGICAL CONSULTING cc) was appointed by was appointed by Molshe Business Solutions (on behalf of Glencore Lion Smelter) to undertake the test excavation of two possible graves located on two locations at Glencore's Lion Smelter Operations near Steelpoort in the Limpopo Province.

The two possible graves were identified and pointed out by representatives of the Mdluli and Ntswane families respectively during site visits to Lion Smelter. In order to test the possibility of these locations containing the graves and remains of their relatives as claimed, the families were requested to provide consent for the work to be undertaken. After consultation with them they duly provided the required consent and as they were unsure about the age of the burials a SAHRA Test Permit were applied for as needed.

The required permit was issued to APAC cc on the 3rd of November 2021 (SAHRA Permit No.3354 and Case ID Number 17324). The Test Excavations were undertaken on the 20th of November 2021, with representatives of the client & both families present during the work.

The results of the Test Excavations will be discussed in this document. It is concluded that the work on both the possible grave sites were conducted successfully. No evidence of any burials, based on the physical excavation and evidence collected during these excavations were found on these sites.

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INTRODUCTION

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AIMS

The main aims with the test excavation on the possible graves claimed by the Mdluli and Ntswane families at Glencore's Lion Smelter Operations were the following:

- (a) To determine whether or not there are any graves or burial pits and remains located on the sites indicated by the families
- (b) Should any evidence of the presence of graves and/or burial pits be found at these locations to then provide recommendations on the way forward in terms of the Formal Exhumation & Relocation processes to be followed,
- (c) To provide recommendations on the way forward should no evidence be found to sustain the claim that graves are present at these locations

LEGISLATIVE REQUIREMENTS

Aspects concerning the conservation of cultural resources are dealt with mainly in two Acts. These are the National Heritage Resources Act (Act 25 of 1999) and the National Environmental Management Act (Act 107 of 1998).

1.1 The National Heritage Resources Act

According to the above-mentioned Act the following is protected as cultural heritage resources:

- a. Archaeological artifacts, structures and sites older than 100 years
- b. Ethnographic art objects (e.g. prehistoric rock art) and ethnography
- c. Objects of decorative and visual arts
- d. Military objects, structures and sites older than 75 years
- e. Historical objects, structures and sites older than 60 years
- f. Proclaimed heritage sites
- g. **Grave yards and graves older than 60 years**
- h. Meteorites and fossils
- i. Objects, structures and sites of scientific or technological value.

Archaeology, palaeontology and meteorites

Section 35(4) of this Act states that no person may, without a permit issued by the responsible heritage resources authority:

- a. destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or paleontological site or any meteorite;
- b. destroy, damage, excavate, remove from its original position, collect or own any archaeological or paleontological material or object or any meteorite;
- c. trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or paleontological material or object, or any meteorite; or
- d. bring onto or use at an archaeological or paleontological site any excavation equipment or any equipment that assists in the detection or recovery of metals or archaeological and paleontological material or objects, or use such equipment for the recovery of meteorites.
- e. alter or demolish any structure or part of a structure which is older than 60 years as protected.

The above mentioned may only be disturbed or moved by an archaeologist, after receiving a permit from the South African Heritage Resources Agency.

Human remains

In terms of Section 36(3) of the National Heritage Resources Act, no person may, without a permit issued by the relevant heritage resources authority:

- a. destroy, damage, alter, exhume or remove from its original position of otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;
- b. destroy, damage, alter, exhume or remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
- c. bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation, or any equipment which assists in the detection or recovery of metals.

Human remains that are less than 60 years old are subject to provisions of the Human Tissue Act (Act 65 of 1983) and to local regulations. Exhumation of graves must conform to the standards set out in the **Ordinance on Excavations (Ordinance no. 12 of 1980)** (replacing the old Transvaal Ordinance no. 7 of 1925).

Permission must also be gained from the descendants (where known), the National Department of Health, Provincial Department of Health, Premier of the Province and local police. Furthermore, permission must also be gained from the various landowners (i.e. where the graves are located and where they are to be relocated) before exhumation can take place.

Human remains can only be handled by a registered undertaker or an institution declared under the **Human Tissues Act (Act 65 of 1983 as amended)**.

Unidentified/unknown graves are also handled as older than 60 until proven otherwise.

1.2 The National Environmental Management Act

This Act states that a survey and evaluation of cultural resources must be done in areas where development projects, that will change the face of the environment, will be undertaken. The impact of the development on these resources should be determined and proposals for the mitigation must be made.

METHODOLOGY

Background information – The results of previous work carried out in the area (Heritage Impact Assessments) are normally used to provide background to the project and the possible graves identified and recorded in the area under discussion.

Mapping and Photographing – A Google Earth image of the area, providing a location for the area and the possible grave sites, are produced. Photographs of the area, as well as each individual possible grave site, the excavation process and results of the excavations were taken as part of the process.

Investigation and Exhumation – Normally graves are exhumed by hand using picks and shovels and where possible remains are documented photographically in position. Remains are then removed, placed in coffins, described and documented. In cases where no skeletal remains or cultural material are found in a burial a soil sample is taken for reburial as standard practice.

In the case of the possible Mdluli and Ntswane graves, test excavations were conducted in the locations indicated by the families respectively. This entailed digging trenches at the locations to determine if there were any evidence of burial pits and both human skeletal & cultural material remains being present. If any evidence of burial pits and/or physical remains were to be found then the trenches were to be closed up again in order to commence with formal processes related to exhumation and relocation of the remains.

DESCRIPTION OF THE AREA AND SITES

The two possible grave sites (as indicated by the Mdluli & Ntswane families) are located at Glencore's Lion Smelter Operations near Steelpoort in the Limpopo Province. Both sites are situated in areas already impacted by past mining-related activities and as a result both areas have been fairly extensively impacted in the past. No physical evidence of graves (in the form of physical demarcations such as stones, bricks/cement dressings or headstones) is located at these sites and the positions were determined by the family representatives visiting the areas together with traditional healers to assist in locating the possible graves, mine officials and the service providers appointed to undertake the test excavations. After these possible graves were pointed out the families were requested if they would allow the Test Excavations to be carried out in these locations. After consultation with the representatives they provided the required consent and SAHRA was approached for a Test Excavation Permit. A permit was duly issued and the physical work undertaken on the 20th of November 2021, with representatives of both families present on the two sites respectively.

GPS Location of Mdluli Site: S24 49 31.40 E30 07 12.90.

GPS Location of Ntswane Site: S24 50 00.50 E30 06 32.10



Figure 1: General location of the two sites where the Test Excavations were carried out (Google Earth 2021).



Figure 2: Closer view of the location of the possible Mdluli family grave (Google Earth 2021).

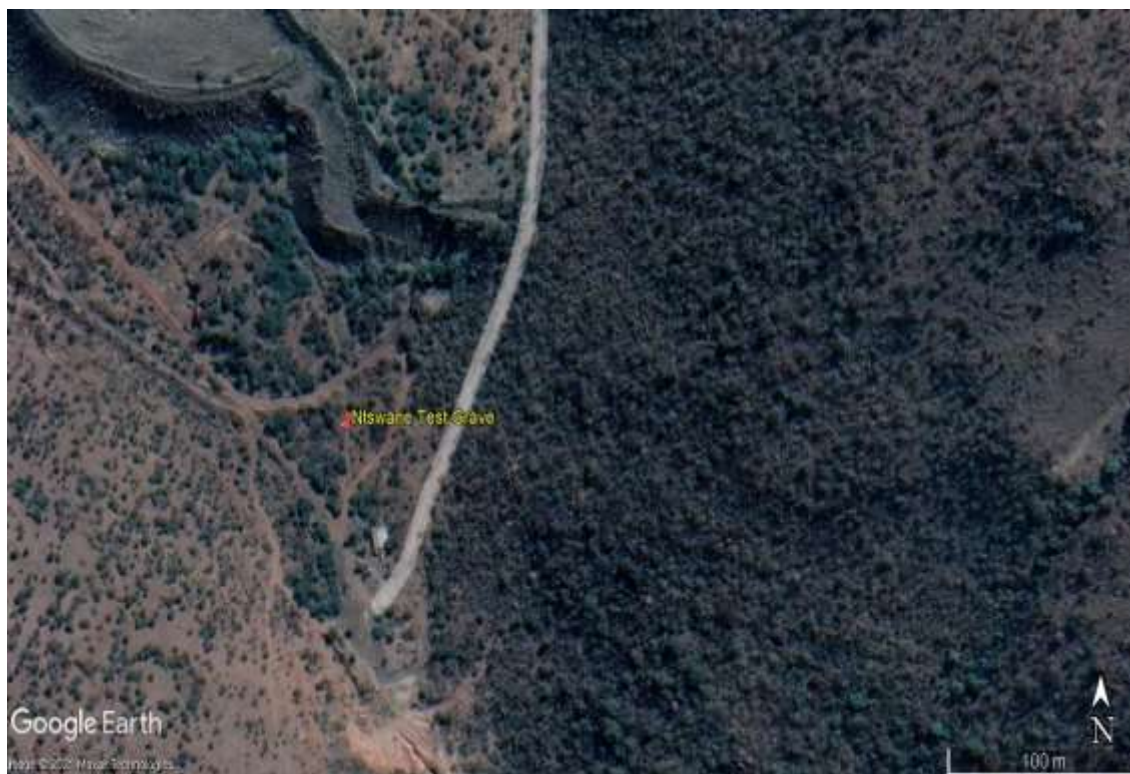


Figure 3: Closer view of the possible Ntswane family grave (Google Earth 2021).



Figure 4: Mdluli family representatives and traditional healer praying at the location of the possible grave in July 2021.



Figure 5: The approximate position of the possible Mdluli family grave as indicated by the family.



Figure 6: The location of the possible Ntswane family grave as indicated in July 2021.



Figure 7: Ntswane family representatives praying at the location of the possible grave prior to the Test Excavation in November 2021.

TEST EXCAVATION OF THE POSSIBLE GRAVES

The possible Ntswane family grave was investigated 1st, with the family representatives present when the work was conducted. They also indicated the approximate position of the burial and provided information on the family member that they claim was buried here.

Possible Ntswane family Grave: Results of Test Excavation

According to the family representatives (Mr. Johannes Ntswane who was born in 1949 provided consent) their grandmother had passed away in 1961 at 39 years of age.

A 1m x 1m trench was 1st measured out across the center of the grave (in an E/W direction). The family initially indicated that the head of the grave was located in a N/S direction but then changed it to E/W and a 2nd trench was then dug perpendicular to that to form a “cross” over the possible grave location.

In both trenches the soil stratigraphy consists of approximately 20cm of loose top soil, overlaying a red compacted hard layer of soil of between 02cm and 05cm thick. Below

that a dark-brown, very hard and compacted layer of clay was found on top of a sterile layer at a depth of around 0.50m and 0.60m below the Present Surface Level (PSL). No evidence of any previous disturbances from the digging of a burial pit could be detected.

Based on the physical evidence from the test excavation in the location provided by the Ntswane family it is therefore concluded that there are no grave located in the position indicated by the family. No physical human skeletal remains or cultural material goods such as coffin fragments or clothing remains were recovered as well. Based on previous work on known burials in the area, where fairly well preserved remains were found of similar age, it could be expected that if a grave and burial pit were situated here that remains would be found. The soil is fairly dry with no clear subsurface water present to contribute to the total decomposition of remains over a 60 year period. Also, beside the current top soil layer of a few centimeters thick, the natural layers below that have not been disturbed at all and no indication of a dug burial pit into these layers were evident.



Figure 8: The 1st test trench dug in an E/W direction on the possible grave.



Figure 9: The stratigraphy in the trench consists of around 20cm of loose top soil overlaying a hard red layer of between 02cm & 05cm on top of a dark-brown compacted layer of clay.



Figure 10: The 2nd trench was dug perpendicular to the 1st (in an N/S direction across the grave's center).



Figure 11: The stratigraphy in the 2nd trench consists again of loose top soil overlaying a red, compacted layer of soil on top of an undisturbed hard dark-brown clay.

Possible Mdluli family Grave: Results of Test Excavation

This possible grave is located in an area close to an access road and water pipeline and therefore in an location that has been fairly extensively disturbed in the recent past though mining-related activities.

A trench of 1m x 1m was dug across the center of the possible grave to determine if there was any evidence of a burial pit and related physical remains located here. The soil stratigraphy in the test trench consisted of approximately 20cm of loose top soil overlaying a level of broken pieces of weathered sandstone that was most likely the result of the original digging for the water pipeline trench. Below that, at a depth of around 0.50m below the Present Surface Level (PSL), a layer of undisturbed bedrock (weathered sandstone) was found. No evidence for a burial pit dug into this bedrock was found and it was concluded that there was not a grave present here. Me. Rose Noazi (the Mdluli family member who provided consent for the test excavation to be conducted) agreed on the findings and that no further test excavations were required.



Figure 12: The Test Trench excavated across the possible Mdluli grave location/



Figure 13: The unbroken weathered sandstone bedrock is visible in the trench.



Figure 14: The stratigraphy in the trench consists of loose top soil on top of a layer of undisturbed bed rock (weathered sandstone) at a depth of around 0.50m below the PSL.

In conclusion it can be said that the Test Excavations of the possible Ntswane and Mdluli family graves, located at Glencore's Lion Smelter Operations near Steelpoort in the Limpopo Province, was conducted successfully. No physical evidence in the form of dug burial pits, human skeletal remains or related grave goods (material remains) were found in the specific locations as indicated by the two families respectively.

CONCLUSIONS AND RECOMMENDATIONS

Anton Pelsler (of APELSER ARCHAEOLOGICAL CONSULTING cc) was appointed by was appointed by Molshe Business Solutions (on behalf of Glencore Lion Smelter) to undertake the test excavation of two possible graves located on two locations at Glencore's Lion Smelter Operations near Steelpoort in the Limpopo Province.

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Test Trenches were dug on both locations as indicated by the two families respectively. No physical evidence in the form of dug burial pits, human skeletal remains or related grave goods (material remains) were found in the specific locations as discussed in the report. In conclusion it can therefore be said that the Test Excavations of the possible Ntswane and Mdluli family graves, located at Glencore's Lion Smelter Operations near Steelpoort in the Limpopo Province, was conducted successfully.

Finally, it needs to be stated that although all efforts are made to identify all possible graves in an area of impact, there is always a possibility that previously unknown and unmarked graves and remains could be present in the area. Should any be uncovered during the development actions, work in the area should be stopped and an expert be called in to investigate and provide recommendations on the way forward.

REFERENCES

General and Closer Locations of the possible Mdluli & Ntswane family graves: Google Earth 2021.