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Phosphate tussle in court

On Thursday of last week, the appeal by Namibian Marine Phosphate, seeking to mine the Namibia's sea floor, was heard in the Windhoek High Court.

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Legal counsel for Namibia Marine Phosphate (NMP) last week delivered their arguments in an appeal to have their environmental clearance reinstated.

The clearance certificate was issued by the environmental commissioner Teofilus Nghitila on 5 September last year and granted permission for marine phosphate roughly 120 kilometres south of Walvis Bay, in the Atlantic Ocean.

A public protest followed the issuance of this clearance certificate and this prompted the environment minister Pohamba Shifeta, to halt the project in November last year.

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NMP lodged an appeal at the high court against Minister Shifeta, Michael Gawaseb, CEO of the Namibia Consumer Trust and the environmental management documents, the company states that an earlier appeal which had led to Shifeta having the clearance set aside, was filed late in terms of environmental management.

Furthermore, the company told the court that they were not informed of the appeal against the issuance of the clearance certificate a opportunity to state their case before Minister Shifeta made his decision.

Advocate Reinhard Töttemeyer (SC), assisted by Advocate Deon Obbes, appeared for NMP and told the court that the company's rights the clearance certificate was set aside, adding that they were not granted an opportunity to state their side of the matter to the minister ambush," Töttemeyer said.

For the State, Advocate Vincent Maleka (SC), assisted by Advocate Werner Boesak, told the court that the absence of one party is only substance". He added that the minister had made his decision after thorough public consultations and further, that the minister has a not do any harm to the environment.

Uno Katjipuka-Sibolile, appearing for Gaweseb said the government had a responsibility towards the public to protect the environment certificate placed NMP in a position to harm the environment.

Judge Shafimana Ueitele will deliver judgment on 15 December.

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The Mozambican ministry of mineral resources and energy, and representatives from the energy companies, the Italian ENI and the US



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The Benchmark Retirement Fund announced its 2016 results at its annual members' meeting held on 3 August 2017. Principal officer K



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