



## ECONOMIC & SOCIAL JUSTICE TRUST

### **RESPONSIBLE DECISION TAKEN ON MARINE PHOSPHATE MINING**

*Press Release, 21 June 2018*

The Economic and Social Justice Trust (ESJT) welcomes and applauds the decision of the Minister of Environment and Tourism, Hon. Pohamba Shifeta, regarding the environmental clearance certificate that had been issued to Namibia Marine Phosphate (PTY) LTD. We are proud that our trustee Michael Gaweseb showed courage and determination when he launched an appeal against the issuing of this certificate and was now proven right. This is a case of active citizenry defending the public interest against narrow corporate interests. We are also encouraged that the Minister recognised the duty of the state to protect natural resources for the generations to come as set out in Article 95 of the Namibian Constitution.

Various marine biologists pointed out that marine phosphate mining would have devastating long term effects on the environment. Likewise, the Minister of Fisheries and Marine Resources, Hon. Bernard Esau, stated in the National Assembly that such mining poses high risks to the marine ecosystem. It is no coincidence that marine phosphate mining has not been conducted anywhere in the world despite large deposits of marine phosphates being available. The reason is simply that risks are far too great and Namibia must not allow itself to be abused for an experiment that can have long-lasting devastating consequences.

The ESJT is concerned that marine mining will degrade the ecosystem, which will cause damage to Namibia's oceanic waters. This will become apparent only when it is too late, and future generations will be robbed of this vital and valuable food resource. Consequently, adequate national protection of the marine environment requires urgent, sound ecosystem baseline research from independent scientist who will consider the impact on the marine ecosystem.

Environmental research at sea has been undertaken by scientists employed by Namibia Marine Phosphates (NMP) in its bid to get environmental clearance. Such research, the results and the way these are interpreted and presented, cannot be considered objective. This is a common problem with many Environmental Impact

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Assessments and the one submitted by NMP does not list mitigating measures as necessary for many of the concerns raised. This is a very dangerous situation, as impacts could then go ahead undetected.

It is against this background that the United Nations support the precautionary principle when dealing with ventures such as marine phosphate mining. The Benguela ecosystem is a fragile though highly productive large marine ecosystem. It is based on the nutrients in the seabed which provide the basis for phytoplankton which in turn forms the base of the food web of the whole ecosystem. Any disturbances of the seabed – and marine phosphate mining would involve a large scale destruction of the top layer of the seabed – will present a severe threat to the ecosystem as a whole and all living mechanisms that it supports.

The key argument is that as long as there is a reasonable level of uncertainty regarding possible damage to the ecosystem and thus also the fishing industry, marine mining must not be allowed in Namibia. Fish is a renewable resource, and the future of Namibia's fishing industry might be at stake. The issues of concern include:

- Effects on breeding of major commercial fish species. Fish have specific breeding areas, which risk being permanently destroyed.
- Change in sea bottom habitat as mining will lead to the removal of seabed to a sediment depth of 1-3 metres. The sediment cloud (plumes) could result in the clogging of fish gills, poisoning, oxygen depletion and smothering of young fish in their breeding and nursery grounds.
- Possible unsafe radiation levels associated with the uranium content of marine phosphates, both at mining sites and from processing effluents.
- Impact on quality of fishery and marine products, affecting food-safety levels for human consumption

The Namibian fishing industry, from latest available employment figures, in 2016 directly employed 16,800 people and the number of indirect jobs stands at around 60,000. In 2015 it exported N\$ 7 billion in seafood exports and this industry could be put at risk by marine phosphate mining. The impact on fish breeding and nursery grounds would not be immediately be apparent, because young fish, by fisheries law, are not allowed to be caught, so that only when the adult fish populations decrease, would the effect become obvious. Hake, for example, are caught when they are several years old, therefore it would take years and decades before such mining impacts would be revealed. Marine food webs are complicated and once the damage occurs, it will be irreversible.

Without proper independent and transparent environmental research by internationally recognised marine scientists with adequate knowledge and experience, the likely potential environmental risks of proposed marine phosphate mining in the Benguela Marine Ecosystem are far too great to take. The Constitution of Namibia, Article 95.1,

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requires the Government to actively promote the welfare of the people, stating that the Government of Namibia is obligated to:

*“..maintain ecosystems, essential ecological processes and biological diversity of Namibia and utilisation of living natural resources on a sustainable basis for the benefit of all Namibians, both present and future.”*

We are pleased that the Minister of Environment and Tourism has recognised this responsibility and therefore set aside the Environmental Clearance Certificate for NMP. We agree that further consultations with the Ministry of Fisheries and Marine Resources as well as all other interested parties must be conducted alongside further research.

As with the case of the Ramatex investment in Namibia a few years ago, we need to appreciate that not all investments are good investments and that Namibia needs to be selective. Investments must support the national development agenda and not destroy future development prospects. Thus adherence to good labour and environmental standards has to be a precondition for any investment.

Finally, we want to congratulate our trustee Michael Gaweseb for having set an example of courageously standing up to powerful corporate interests. Without financial resources at our disposal, we had to rely on the support and goodwill of others to stand up to NMP as well as its financial and legal backers. Our appreciation goes to our lawyer, Uno Katjipuka, who agreed to represent Michael without pay on a pro bono basis. This was a sign of active solidarity which we will not forget. We hope that this case will encourage fellow Namibians to stand up for their rights and to confront the rich and powerful without fear.

Herbert Jauch

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