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MAKING A FISH MEAL OF IT

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01 February 2020



Making a meal of it

Noseweek Issue # 244 February 2020

By Susan Püren

**Mossel Bay fishmeal company put in its place
by fearless local journalist.**

In a victory for press freedom, Judge Siraj Desai of the Western Cape High Court has dismissed with costs the urgent application to gag the website mosselbayontheline.co.za and its owner, veteran journalist Elsa Wessels.

The Angolanbased South African businessman Johannes Breed and his Mossel Bay company Afro Fishing applied for the interdict early in December last year. At the time Noseweek reported on Breed's desperate effort to stop all Wessels's publications from reporting on the alleged ties between Afro Fishing and Namibia's Fishrot Scandal.



Journalist Elsa Wessels

Wessels also owns weskusontheline.co.za and has an active Facebook page that gets thousands of hits daily.

The fishing industry worldwide was shocked when WikiLeaks started to download 30,000 confidential documents on the internet on 11 November. The bombshell was followed by a television documentary broadcast by the Dohabased news channel Al Jazeera that exposed bribery, fraud, money laundering and state capture in Namibia.

It showed that highranking political figures in the country were receiving millions of dollars from foreign companies in return for profitable rights in the local fishing industry.

But even before the broadcast, Thorsteinn Már Baldvinsson, the CEO of Iceland's largest fishing and fish processing conglomerate, Samherji, had stepped aside pending the outcome of an internal investigation into the company's business in Namibia. The Namibian Minister of Justice Sacky Shanghala and the Minister of Fisheries and Marine Resources, Bernhardt Esau, as well as exInvestec Asset Management Namibia managing director James Hatuikulipi, the chairman of stateowned Fishcor, resigned and were subsequently arrested, while Fishcor's CEO, Mike Nghipunya, was suspended.

Hatuikulipi and Nghipunya represented Fishcor on the board of Seaflower Pelagic Processors (Pty) Ltd, a joint venture between Fishcor and African Selection Fishing (ASF), the Namibian arm of the Angolan based company, African Selection Trust (AST).

Johannes Breed of Afro Fishing in Mossel Bay is a director of both ASF and AST. Breed was unhappy when Wessels reported these facts, especially since Afro Fishing's public participation process to establish a fishmeal processing plant in Mossel Bay was in its final stages.



Afro Fishing's existing sardine cannery on the Mossel Bay harbour

He rushed off to the Western Cape High Court to stop her. Wessels was only able to obtain legal representation the day before the case was heard, but Judge Desai agreed with her legal team and postponed the Fish factory in Mossel Bay matter for three days to enable them to compile a supplementary answering affidavit.

"Nothing I said in any of my online publications that the applicants rely on in their founding papers, carry the message or implications or innuendo that the applicants attempt to ascribe to it in their melodramatic 'interpretation' thereof," Wessels states in the answering affidavit.

"The whole application is very untoward bullying and an abuse of the process of court by a financially very strong company bearing down on an individual investigative journalist," says Wessels.

She also referred to the Noseweek "breaking news" article, "Fishrot stink wafts into South Africa," saying there was no urgency in the matter as the link between Breed and the Angolan company had been in the public domain, published in many other publications long before Mosselbayontheline wrote about it in articles about Afro Fishing's planned fishmeal factory in Mossel Bay.

The affidavit says the articles the applicants refer to carried very little of Wessels's own creation or writing and consisted of links to earlier stories in other publications, written by other journalists about the Fishrot Scandal and Namibia's fishing industry in general. Wessels also disputes that parts of one of the articles were defamatory as alleged by Afro Fishing's Deon van Zyl in an affidavit before court.

"None of the underlined portions, considered individually or together as a whole, can by any stretch of the imagination be stated as defamatory. Alternatively, it is true and in the public interest for it to be published. I have nowhere in any of the articles I wrote made the astonishing and hyperbolic statements or accusations or imputations ascribed to my articles by the applicants or any innuendo to that effect."

The full judgment will be released later. Copyright © 2020 www.noseweek.co.za (<http://www.noseweek.co.za>)

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Also read:

Mosselbayontheline's official reply to a letter published in the Mossel Bay Advertiser yesterday in which Afro Fishing's MD Deon van Zyl falsely accused us of various misconducts - while he also, unbelievably, accused us in an official government document of linking him to "gang wars in Manenberg" . . . ? 🙄

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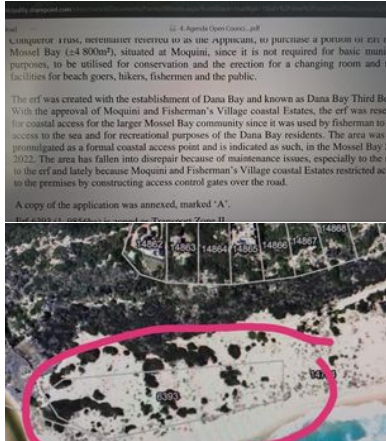


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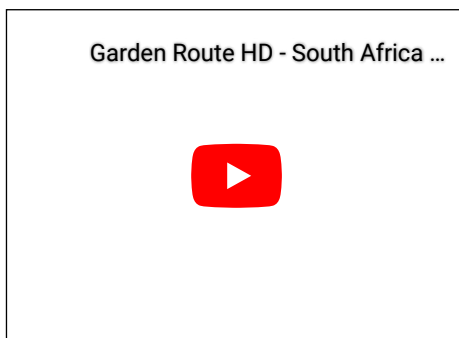
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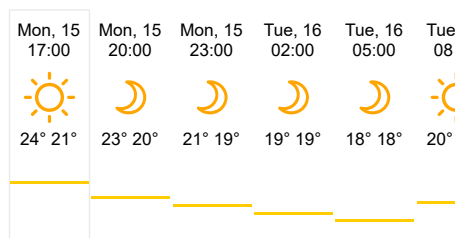
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