



Pinsent Masons

BY E-MAIL

The Centre for Environmental Rights
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8 December 2022

Dear Ms Govindsamy

KARPOWERSHIP PROJECTS IN THE PORTS OF COEGA, SALDANHA AND RICHARDS BAY – CER DEFAMATORY STATEMENTS

1. This letter is addressed to you at the instance of our client, Karpowership SA (Pty) Ltd (“KSA” or “our Client”)
2. CER made certain defamatory statements when it published the covering article to the document entitled “Karpowership Stakeholder Analysis” on its website on 6 December 2022. The defamatory article appears at the following CER link: [News – Centre for Environmental Rights \(cer.org.za\)](#)
3. We hereby demand that CER responds to the following questions:
 - 3.1 The article’s introduction states that:

“In light of the serious environmental and social harms posed by the Karpowership SA project, the Fair Finance Coalition Southern Africa (FFCSA) has released information on the financiers behind the project – a global syndicate of four banks.”

Please provide full details of the “serious environmental and social harms posed by the Karpowership SA project” as alleged. This, particularly in light of the fact that the comprehensive EIA backed by top specialists found no fatal flaws and recommends from an environmental and social perspective that the projects should proceed.

- 3.2 The article states in paragraph 3 that;

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“The Karpowership SA project entails the proposed installation of three floating gas power ships off the coast of South Africa. In 2021, the Department of Forestry, Fisheries and the Environment (DFFE) refused to grant environmental authorisations for all three power ships. Karpowership’s appeal to overturn one of these environmental rulings also recently failed.”

This statement is misleading in that the Minister stated in the appeal decision that certain aspects of the EIA’s must be re-done to address perceived gaps and that a further round of public participation must be conducted. The article fails to mention this and the important fact that the information is currently available for the public to review.

4. Paragraph 6 of the article states that:

“The Green Connection is particularly concerned about the impacts of the project on the marine ecosystem, e.g. fish nurseries, which would in turn negatively impact existing local livelihoods such as those of the local fisherfolk who would be impacted by pollution from these floating gas powerships.”

This statement is false. Specialist reports have been undertaken as part of the EIA to determine whether there is any negative impact on small scale fishers.

5. Paragraph 9 of the article states that:

“Information in relation to projects which have the potential for significant environmental and climate change impacts – and moreover, that could significantly undermine our country’s transition to a low-carbon economy – ought to be easily accessible and available to the public. However, when it comes to gas projects in general, civil society in South Africa is increasingly facing obstacles in accessing information, particularly financial information.”

The Karpowership EIA’s have provided detailed information which is in the public domain- in respect of greenhouse gas emissions in the Climate Change Impact Assessment Report.

6. We look forward to your urgent response hereto and by no later than 13 December 2022.
7. Our Client’s rights remain reserved.

Yours sincerely
Adam Gunn
Legal Director
for Pinsent Masons Africa LLP
This letter is sent electronically and so is unsigned