

WSRW REPORT — APRIL 2018

# P FOR PLUNDER

**Morocco's exports of  
phosphates from occupied  
Western Sahara**

*Fertilizer companies from across the globe import controversial phosphate rock from Western Sahara, under illegal Moroccan occupation. This report shows which of them were involved in the trade in 2017.*

# 2017



**WSRW** WESTERN SAHARA  
RESOURCE WATCH

## Western Sahara benefits. It's r

For the fifth time, West  
annual overview of the  
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The list we preser  
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The effect on the trade  
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2017 thus saw the  
WSRW. To compare, in  
the numbers are down

This report details  
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shipped in 27 bulk vess  
since 2016, the report s  
importers and a lower  
largest importer in 2017  
heavily involved is Ultr  
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Of the six identifie  
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remaining four importe  
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WSRW calls on all  
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|--------|---|--|--|
| nveyor | WSRW.org (P. 19 Sparkjøp.   | Western Sahara Resource  | To strengthen our research   |
| ate    | 29, 30, 35).  | Watch (WSRW) is an   | and intensify our international  |
| ines   | Adam Gamble (P. 21),<br>John Hermans (P. 25 SBI<br>Tango), Alwyn Frost (P. 25,<br>Anarita),<br>Rick Vince (P. 29),<br>John Tordai (P. 37) | international organization<br>based in Brussels. WSRW,<br>a wholly independent non-<br>governmental organization,<br>works in solidarity with the<br>people of Western Sahara. | campaigns. WSRW needs<br>your help. Learn how to<br>make monetary donations at<br><a href="http://www.wsrw.org">www.wsrw.org</a> |



**that exploration of mineral resources in Western Sahara without local consent would be in breach of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.”**

Swedish government pension fund, AP-Fonden, upon exclusion of PotashCorp and Inco Inc. from its portfolios.<sup>12</sup>

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sovereignty over Western Sahara by any state, nor by the UN. Its territory were rejected by the Office of Justice.<sup>2</sup> The Office has analysed the legality of extraction and exploitation in Western Sahara. It is of a similar nature to phosphate extraction activity – one now in exploration and the other in exploitation. It concluded that “if further exploration activities were to proceed in disregard of the wishes of the people of Western Sahara, this would be in violation of the international law applicable to mineral resource activities in the Territories.”<sup>3</sup> The UN Security Council, in its 1975 resolution after the 1975 invasion of the territory of the Bou Craa mine in Western Sahara, stated that the mine should be operated by a company in Western Sahara, Europe and Australasia. The mine is managed by the Office Chérifien (OCP), now known simply as OCP Morocco, a phosphate company and today the country’s biggest source of income.

OCP Morocco (Phosboucraa) is a subsidiary of OCP. Its main activities are the extraction, transportation and marketing of phosphate from the Bou Craa mine, including operation and treatment plant located on the Aaiun. OCP puts production capacity at 2.6 million tonnes annually.<sup>4</sup> Though

However, that tale could be coming to an end. The Bou Craa phosphate deposit consists of two layers. Until 2014, only the first, top layer had been mined. This particular layer contained phosphate rock of the highest quality across all reserves controlled by OCP. In 2014, Bou Craa phosphate mining moved on to the second layer, which is of lower quality.<sup>7</sup> Morocco has sold all of the high quality phosphate that ought to have been available to the Saharawi people upon realizing their right to self-determination.

OCP claims that Phosboucraa is the largest private employer in the area, with around 2,100 employees<sup>8</sup> – more than half of those are said to be locally recruited. It also alleges that Phosboucraa is a major provider of economic viability and well-being of the region’s inhabitants. OCP equally boasts the social impact of Phosboucraa, in terms of providing pensions to retirees, medical and social advantages to employees, retirees and their families, etc.<sup>9</sup> OCP presents the purported economic and social benefits as a justification for its exploitation of phosphate mines outside of Morocco’s long-settled, internationally recognized borders.<sup>10</sup>

Morocco uses the Bou Craa phosphates for its political lobby-work to gain the support of other countries for its illegal occupation. An official Moroccan government document leaked in 2014 literally states that Western Sahara’s resources, including phosphate, should be used “to implicate Russia in activities in the Sahara”. The document goes on to say that “in return, Russia could guarantee a freeze on the Sahara file within the UN.”<sup>11</sup>

**“Agrim’s purchase of phosphates from Western Sahara by means of a long-term contract with OCP constitutes an unacceptable risk of complicity in the violation of fundamental ethical norms, and thereby contravenes KLP’s OCP guidelines for responsible investment.”**

Norwegian insurance company KLP regarding its divestments from Agrium Inc.<sup>13</sup>

**“Illegal exploitation of natural resources”**

Fonds de Compensation commun au régime général de pension, Luxembourg, 15 November 2014, upon blacklisting of all involved phosphates companies.<sup>14</sup>

**“Human rights violations in**



Vancouver

Baton Rouge

Barranquilla

Paradip

Port Elizabeth

Inverc

colonial power, Spain.

**July 1962:** The Empresa Nacional Minera del Sahara is founded in order to operate the mine, which is owned by a Spanish public industrial sector company.

**May 1968:** The company is renamed Fosfatos de Bucraa. S.A., also known as Phosboucraa or Fos Bucraa.

**1972:** Spain starts to operate the mine. Many Spaniards find employment in the mines, as did the Saharawis; the native population of the Spanish Sahara, as the territory is known at the time.

**1975:** Mounting international pressure to decolonise forces Spain to come up with a withdrawal strategy from Spanish Sahara. A UN mission that was sent to Spanish Sahara in view of an expected referendum predicts that Western Sahara could very well become the world's second largest exporter of phosphates, after Morocco. Maintaining a claim to the phosphate deposits is a key consideration for the colonial power. Failing to decolonise Western Sahara properly, by allowing the people of

in 1979, announcing it had been wrong to claim and to occupy the territory. At the same time in 1975, recouping his authority after two failed coups d'état, Morocco's King Hassan II orders the Moroccan army to invade Western Sahara. The King may have hoped that this would give Morocco as much leverage to determine world phosphate prices as OPEC has over oil prices.<sup>19</sup>

**1 January 1976:** The Madrid Accords come into effect and after a transition period of 16 months OCP would take over the management of the mines.<sup>20</sup>

**2002:** Spain sells its 35% ownership of Bou Craa.

**2014:** OCP files for public subscription on the Irish Stock Exchange an inaugural bond issue of US \$1.55 billion.<sup>21</sup> It files a similar debt financing prospectus on the Exchange a year later.<sup>22</sup>

**2018:** Morocco continues to operate the mine in occupied Western Sahara. The average exports over the last years have generated an annual income of around US \$200 million from a mine which is not theirs.



### Large plans

An investment and development program worth US \$2.45 billion has been set up by OCP across all its operations for the period of 2012-2030. In that timeframe, the program will aim to modernize the Bou Craa mine, exploit deeper phosphate layers, create higher added-value products for export, increase the El Aaiun harbour capacity for phosphate activities and expand the social and sustainable development projects in the Bou Craa area.<sup>23</sup>

OCP states that, as part of its long-term investment program, financing of industrial development is planned, such as mining investments (worth around US \$250 million) that will include the building of a flotation/washing unit and upgrading of extraction equipment, as well as new infrastructure to extract lower phosphate layers.<sup>24</sup>

### Peak P

Phosphate is a vital component of the which much of the global food product security depends. For some time, there about the world population's reliance c of phosphorus, and the implications of tural productivity, food prices and nutr in developing countries. The term "peak has joined the concept of "peak oil" in century scarcity. There are no substitu rus in agriculture.<sup>26</sup>

Morocco, including Western Sahar the world's biggest phosphate reserve largest producer of phosphates in the The increasing global need for phc

1,331,040 tonnes

1,000,000 tonnes

\$142.74 million

\$213.7 million

\$80 million

\$80 million

\$62 million

\$130 million

\$7,084 million

\$8,325 million

\$1,524 million

\$1,725 million

27

37

59,000 tonnes

50,000 tonnes

\$5.3 million

\$5.6 million

\$89.67

\$112

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 ived at stated destina-  
 e possible, estimated  
 nts were checked  
 pping documents,  
 ls of lading and port  
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believes that is has  
 acked and accounted  
 als departing from El  
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 ot exclude a possibil-  
 : or more vessels have  
 ected.

**Fluctuating export levels**

In general, WSRW's calculations  
 over the last years are confirmed  
 in OCP's own reports.<sup>28</sup>

Until 2006 the export of  
 phosphate rock averaged 1.1  
 million tonnes annually, consid-  
 erably less than the production  
 capacity of 2.6 million tonnes.<sup>29</sup> In  
 the late 1970s, production stopped  
 for three years during armed  
 conflict in the territory, only  
 gradually achieving 2.0 million  
 tonnes by the late 1990s. WSRW  
 started daily monitoring in 2011.  
 Our first report put OCP's exports  
 of phosphate mined in Bou Craa  
 at 1.8 million tonnes in 2012 and  
 2.2 million tonnes in 2013. WSRW's  
 projection of 2.1 million tonnes of  
 exported phosphate rock from  
 Bou Craa in 2014 was confirmed

more in line with the levels we  
 have observed in the past. In  
 2017, the exported volume has  
 dropped again, largely explained  
 by the continuing withdrawal of  
 purchasing companies.

OCP estimates the Bou Craa  
 reserves at 500 million tonnes.<sup>31</sup>  
 Bou Craa contributes around  
 7% of OCP's total extracted  
 volumes<sup>32</sup>, and around 25% of its  
 total sales of phosphate rock.<sup>33</sup>

333,000

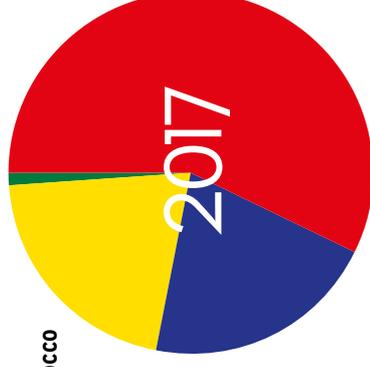


**New Zealand**  
349,000

**Clients per nationality of (parent) compa**

Figures in metric tonnes.

Venezuela  
17,000



**Austre**  
105,000

**India/Morocco**  
344,000

**Canada**  
911,840

**New Zea**  
349,000

**Value per importing country**

Figures in \$ US

Colombia  
1.52 million

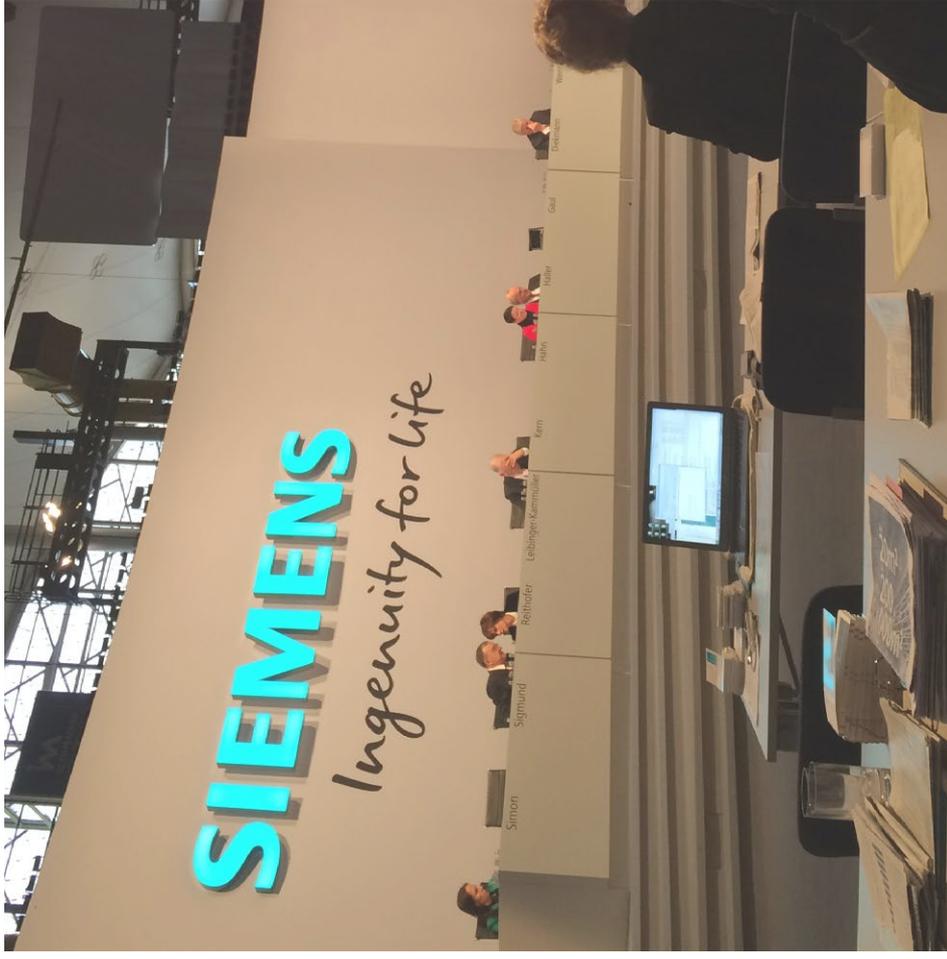


**Li**  
7.1

**Australia**  
12.1 million

**USA**  
33 million

|   | Shipments | Capacity (MW) | Value (\$ million) |
|---|-----------|---------------|--------------------|
| Vancouver, Canada                             | 9         | 529,840       | \$47.51 million    |
| Geismar, USA                                  | 5         | 382,000       | \$34.25 million    |
| Paradip, India                                | 6         | 330,000       | \$29.59 million    |
| Tauranga/Bluff Cove/Invercargill, New Zealand | 4         | 223,000       | \$20 million       |
| Napier, New Zealand                           | 2         | 110,000       | \$9.86 million     |
| Barranquilla, Colombia                        | 1         | 17,000        | \$1.52 million     |



### SIEMENS

German engineering company Siemens constructed the Fom el Oued wind park in occupied Western Sahara in 2013. The park was commissioned by Morocco's national agency for electricity, ONEE. Siemens collaborated with the Moroccan wind energy company NAREVA - owned by the King of Morocco. Fom el Oued, consisting of 22 wind mills, today supplies 95% of Phosboucrâa's energy needs. In other words: practically all energy required for the exploitation and transport of the phosphate rock in Western Sahara, is generated by wind mills delivered by Siemens. The green energy production is thus

### ATLAS COPCO

Swedish industrial company Atlas Copco in 2008 sold important drill rigs to OCP for use in the Bou Craa mine. Through the sales, Atlas Copco also obliged itself to provide maintenance and spare parts to the same rigs. It is not known for how many years the company is tied to that contract. WSRW first confronted Atlas Copco about its deliveries in May 2013.<sup>35</sup> While the company appeared open to meet with WSRW at first, it later declined. WSRW sent Atlas Copco another letter on 27 March 2017, detailing our concerns and question.<sup>36</sup>

which commenced the audit that the case was to be decided by the Court was the question of whether the New Zealand Government could be held liable for the actions of the OCP SA, Morocco's

the cargo from Ballance. In July 2017, however, the cargo, accusing the company of "political opinion" and "undermining" the UN resolution.

On 23 February 2018, the owner of the entire vessel, that the ownership was held by Boucraa SA, who were the Ballance Agri-Nutrients

It is the first such case involving a vessel on the high seas. And on the day that the *MM Chirac* was boarded, the financial risk of compensation had already been borne by the EU on 21 December 2017, a "separate and distinct" case from Morocco.<sup>44</sup>

The value of the *MM Chirac* is around ten per cent of the value of the refugee camps in Africa.

In 2017, while waiting for the court to rule, the shipping company for the vessel's detentions, according to the court records, the firm in April 2018, the vessel of around 3.5 million US dollars in schedule of

The stop-over in South Zealand-based importer farmer co-operative owned around 3 vessels each, the second biggest importer of New Zealand-bound vegetables to Africa and the Pacific. To never before travelled to African ports are regular routes to India and



|        |         |                 |
|--------|---------|-----------------|
| 3      | 100,000 | 14,000,000 \$   |
| 3      | 165,000 | 14,795,550 \$   |
| 2      | 141,000 | 12,643,470 \$   |
| 2      | 134,000 | 12,015,780 \$   |
| 2      | 113,000 | 10,132,710 \$   |
| 2      | 77,000  | 6,904,590 \$    |
| 1 each |         |                 |
| 5      | 290,840 | 26,079,622.8 \$ |
| 4      | 239,000 | 21,431,130 \$   |
| 3      | 176,000 | 15,781,920 \$   |
| 2      | 133,000 | 11,926,110 \$   |
| 2      | 120,000 | 10,760,400 \$   |
| 2      | 110,000 | 9,863,700 \$    |
| 2      | 77,000  | 6,904,590 \$    |
| 1 each |         |                 |
| 6      | 361,840 | 32,446,193 \$   |
| 5      | 299,000 | 26,811,330 \$   |
| 3      | 220,000 | 19,727,400 \$   |
| 3      | 168,000 | 15,064,560 \$   |
| 2      | 133,000 | 11,926,110 \$   |
| 2      | 110,000 | 9,863,700 \$    |
| 2      | 77,000  | 6,904,590 \$    |
| 1 each |         |                 |
| 6      | 361,840 | 32,446,193 \$   |
| 5      | 299,000 | 26,811,330 \$   |
| 3      | 220,000 | 19,727,400 \$   |
| 3      | 187,000 | 16,768,290 \$   |
| 3      | 165,000 | 14,795,550 \$   |
| 2      | 77,000  | 6,904,590 \$    |
| 1 each |         |                 |
| 6      | 365,000 | 34,522,950 \$   |
| 5      | 299,000 | 26,811,330 \$   |
| 4      | 231,840 | 20,789,092 \$   |
| 2 each |         |                 |
| 1 each |         |                 |
| 4      | 224,000 | 20,086,080 \$   |
| 4      | 248,000 | 22,238,160 \$   |

# Port Elizabeth



## The players in the South Africa court case



Vessel: **NM Cherry Blossom** IMO: **9703655** Flag: **Marshall Islands**

Estimated cargo phosphate rock: **55,000 tonnes** Operator: **AM Nomikos**

Departed: **El Aaiun, Western Sahara, 13 April 2017**

WSRW has identified around 20 probable – but not confirmed – Furness/Oetker shipments over the last decade.<sup>48</sup> Upon the arrival of the vessel *Furness Karumba* in Australia in 2008, representatives of The Maritime Union of Australia boarded the vessel to hand over a letter to the captain of the vessel, protesting the trade in Saharawi phosphate rock. The letter was also sent to the companies involved in the transport, as well as to the local importer.<sup>50</sup>

On 14 March 2017, the Oetker Group announced an agreement to sell its subsidiary Hamburg Süd to Danish company Maersk.<sup>51</sup> The Danish company confirmed to WSRW in a mail on 13 June 2017 that Furness Withy will be part of the package. "Until the final agreement has been concluded (which we expect to take place at fourth quarter in 2017), Hamburg Süd runs as a totally independent company. This means that there is no way for us to exchange sensitive information or in any way influence the business until the transaction is completed", Maersk wrote to WSRW. The Maersk takeover was completed on 30 November 2017.<sup>52</sup> Maersk's company overview of 2017 includes the Furness companies.<sup>53</sup>

### BALLANCE AGRI-NUI

Ballance Agri-Nutrie purchased the cargo OCP bought back the legal proceedings – Ballance Agri-Ni and distributes fertilizer. Ballance, and the plaintiffs, have been pursuing the firm for years. The firm signed a long-term OCP to supply phosphate for 15 days after the vessel, *Common Spirit*, cargo.<sup>47</sup> That vessel was around South America

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tract clauses.”  
tonnes shipment to the USA in August 2017.<sup>55</sup>

**in Asia, we  
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it now that we  
we will not  
more business**

...ing a New Zealand-bound shipment, 2008.<sup>56</sup>

**...clause excluding  
...ara”**

**...ike”**



A primary state-  
investors to buy shares:  
However, OCP boni  
Irish Stock Exchange si  
blacklisted OCP from th  
OCP's affairs at th  
Morgan Stanley and JP  
tions based in the UK a  
The company has  
Burling, Palacio y Asoci  
suppositious legality of  
carrying out lobbying-c  
reports that allege the  
grounds of being supp  
these reports have bee

**“Further to the emails I sent yo  
19 October 2013, 15 November 2  
15 July 2014, 10 September 2014,  
16 October 2014, 10 February 20  
4 March 2015, 5 January 2016,  
14 January 2016, 2 February 201  
10 February 2016, 15 March 2016  
30 August 2016, 27 September ;  
13 October 2016, 16 November 2  
12 January 2017, 13 February 20  
17 March 2017 07 April 2017 and**

Agrium Inc. was a global producer and marketer of nutrients for agricultural and industrial markets. The company was a public traded company, based in Calgary, Canada, and was listed on the New York Stock Exchange and the Toronto Stock Exchange.

Agrium signed a contract with OCP in 2011, and announced it would start importing in the second half of 2013. The phosphates, imported in order to replace an exhausted source in Canada, were claimed to be originating from "Morocco".<sup>60</sup> However, they do not. The phosphates are from Western Sahara. A first shipment arrived in the Canadian west coast port of Vancouver in October 2013.<sup>61</sup> Agrium then transports the landed phosphate from a dock in Vancouver, by rail to a fertilizer manufacturing plant in Redwater, in the province of Alberta.

In 2016, Agrium commissioned an assessment of the firm's impact on human rights in Western Sahara, carried out by Norton Rose Fulbright Canada LLP. The report contains several flaws in terms of content, analysis and methodology. The analysis explicitly underlines that it "is beyond the scope of this Assessment" to conclude whether or not Morocco is the administering power of Western Sahara.

Yet, the report's assessment repeatedly takes for granted that Morocco is the administering power, and that it therefore has a right to manage the resources of the territory.

This report is used today to convince investors that the company's operations are ok. At the same time, Agrium commented to WSRW on 30 March 2017 that "any issues you may have with its content or the background work that they did, should be taken up with [Norton Rose Fulbright] directly and we would be happy to help facilitate that discussion."<sup>62</sup>

The company systematically refuses to answer any question relating to what steps it has taken to seek the consent of the Saharawi people.

In 2017, Agrium received 9 shipments of phosphate rock sourced in Western Sahara, amounting to an estimated 529,840 tonnes with a total value of US \$47.5 million. That is a slight decrease compared to the 579,000 tonnes import of 2016, however well underneath the 779,000 tonnes of its first full year of importing, 2014.

WSRW asked Nutrien in February 2018 whether the company had undertaken any steps to obtain the consent of the people of Western Sahara with regard to the imports of phosphate rock by Agrium in 2017, and enquired about the announced termination of the imports.<sup>63</sup> The company did not reply.

Chuck Magro, former CEO of Agrium and current CEO of Nutrien, announced on 25 January 2018 that the contract between the legacy company Agrium and OCP would be terminated by the end of the year. The company is still assessing what to do with the imports to the factory controlled by the legacy company PotashCorp, and announced it would make a statement on the matter mid-2018.<sup>64</sup>



The vessel Double Rejoice loading phosphate at the pier in El Aaiun, occupied Western Sahara, 5 December 2012. The vessel headed then to PotashCorp US. In the background is a queue of bulk vessels waiting to load.

Potash Corporation of Canada with the longest track upon acquiring Arcadia firm's 1980s import concession. In 2018, PotashCorp launched Nutrien Inc – phosphate imports from Canada, and was registered in the company's phosphate rock from Western Sahara. OCP have been adopted by the end of 2018, the imports taken in 2017, PotashCorp phosphate rock from occupied Western Sahara. The imports of 287,000 tonnes in 2017 came in five shipments to meet a capping of food products

Through the years position statement on Western Sahara". The November 2016.<sup>66</sup> In it, Western Sahara by reparable to exploit the "stands to gain sortion" has previously referred has from 2016 stopped maintains that its involvement not cease importing because doing so would involve "economic well-being of cornerstone principle of

In February 2018, v consent of the Saharawi dictated by the CJEU, and imports in the view of Nutrien did not respond to the question at OCP's operations "provide people". PotashCorp said "Any decision to cease

in India and the Republic of Mauritius. In 1995, the government of Mauritius took complete ownership of the company. Due to significant losses near the end of the nineties, the government of India decided to divest 74% in February 2002. That stake was bought by Zuari Maroc Phosphates Ltd, a 50-50 joint venture of Zuari Industries Ltd (a subsidiary of Adventz Group of India) and Maroc Phosphore SA - a wholly owned subsidiary of OCP.<sup>70</sup> Today, PPL operates as a subsidiary of Zuari Global Limited, which holds 80.45% stake, while the government of India holds the remaining 19.55%.<sup>71</sup> In other words, PPL is owned by the Government of Morocco, an Indian private conglomerate (Adventz Group) and the Government of India.

PPL is headquartered in Bhubaneswar, India and receives its phosphate rock at the port city of Paradip, approximately 120 kilometers to the east.<sup>72</sup>

According to WSRW's research, PPL received six shipments of phosphate rock from occupied Western Sahara throughout 2017, totaling approximately 330,000 tonnes worth an estimated US \$29.6 million. The imported volume is as such at a comparable level to that of the previous year, of an estimated 344,000 tonnes. The 2017 shipments averaged around 55,000 tonnes.

2017 constitutes the second year of regular imports by PPL, though the firm has imported from occupied Western Sahara before. WSRW has traced a previous purchase from Phosboucraa during the financial year 2011-2012.<sup>73</sup>

WSRW has contacted PPL several times. WSRW wrote to PPL in February 2015, again in March 2017, and more recently in February 2018.<sup>74</sup> The company has never replied.



SBI Tango upon arrival at the port of Taranga on 27 November 2017, about to commence discharging its cargo of 59,000 tonnes of phosphate from occupied Western Sahara. The local importer is Ballance Agri-Nutrients.

New Zealand. It is a list stock exchange.<sup>75</sup> Ballance company changed its name to BOP Fertiliser and then to fertilizer companies. From 1998, when Fernz was all that time Fernz was all

The firm signed a contract with OCP to supply phosphate rock on at least one occasion visit. During the course of the phosphate rock illegally cargoes have a project around US \$20 million - the occupied territory imports were consistent with a decrease to 104,000 tonnes. WSRW has contacted the firm and never received an answer to WSRW that "The United Nations from Western Sahara. It is a legal opinion".<sup>80</sup>

## 6 RAVENSDOWN LT (New Zealand)

Ravensdown Fertiliser is a company that operates in New Zealand. It is listed on the New Zealand Stock Exchange. The company's stock is listed on any stock exchange in New Zealand. The company's stock is listed on any stock exchange in New Zealand. The company's stock is listed on any stock exchange in New Zealand.

The bulk vessel Anarita is a New Zealand-registered bulk carrier ship.





Elimination (Elim).

Incitec Pivot has been importing from Western Sahara for the past 30 years. Since 2003, when Incitec Pivot arose out of a merger between Incitec Fertilizers and Pivot Limited, the company has been importing continuously.

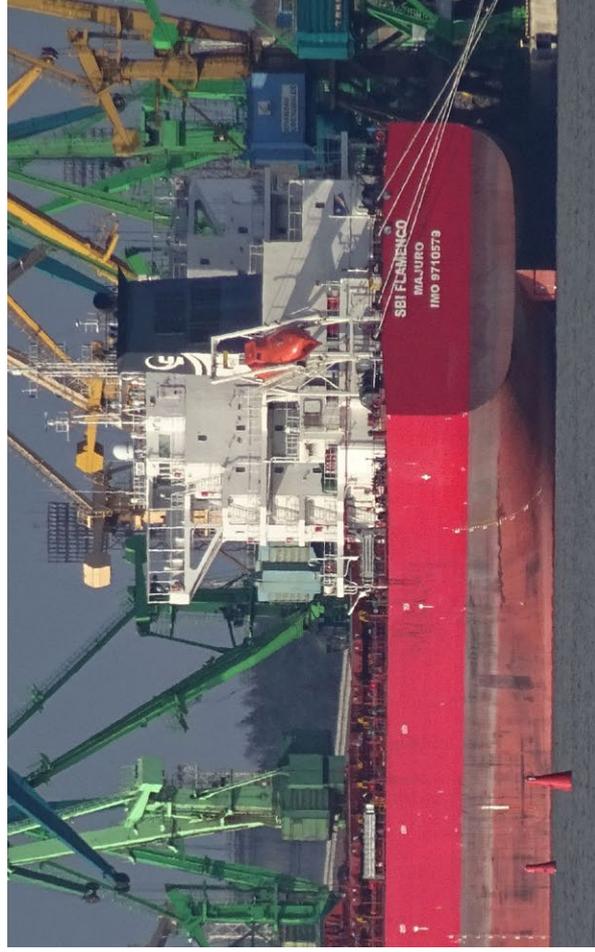
Incitec Pivot has its headquarters in Melbourne, Victoria, Australia, and is registered on the Australian Securities Exchange. Today, Incitec Pivot is the largest supplier of fertilizer products in Australia, but also markets its products abroad, such as in India, Pakistan and Latin America.<sup>89</sup> IPL manufactures a range of fertilizer products, but uses the Saharawi phosphate for its so-called superphosphate products produced at plants in Geelong and Portland.<sup>90</sup>

The last shipments observed to Incitec Pivot were all in 2016, when the firm procured three consignments of phosphate rock from Western Sahara, totalling 105,000 tonnes, worth an estimated US \$12.1 million. That was a substantial increase from its 2015 imports of 63,000 tonnes of Saharawi phosphate, as confirmed by the company.

Incitec Pivot told the Australian Western Sahara Association in December 2017 that there had been no imports since December 2016, as they now source their phosphate rock in Togo. WSRW has indeed not tracked any shipments to the company in 2017.

WSRW last wrote IPL on 6 March 2018.<sup>91</sup>





100K TO 200K TON. WSRW HAS COMMITTED SHIPMENTS SPECIFICALLY TO Agropolychim from 2003 to 2008.

WSRW contacted Agropolychim in October 2008, urging the company to terminate its phosphate imports.<sup>88</sup> A reply was never received, but the company did defend its imports in Bulgarian media. "Agropolychim has a contract for the import of phosphate from North Africa since 1974 and never had problems with supply", the company stated.<sup>89</sup>

## Indian importers

In March 2014, WSRW observed a single shipment to India, unloaded at Tuticorin harbor. This followed the trend from previous years of one annual shipment, arriving at Tuticorin.

WSRW has not yet been able to identify the responsible company, but has identified two potential recipients. One is Greenstar Fertilizers Ltd, a fertilizer manufacturer and marketer, which produces its fertilizers in Tamil Nadu, taking in its material in Tuticorin. The other is Southern Petrochemical Industries Corporation Ltd (SPIC), a petrochemical company that has fertilizer production as its core competency. SPIC has its headquarters in Chennai and is registered on the Bombay Stock Exchange and on the National Stock Exchange of India. The firm's phosphate business is located in Tuticorin. WSRW contacted both, they did not answer.

Lifosa AB is a producer of phosphate mineral fertilizer based in Kedainiai, Lithuania. The company was previously listed on the NASDAQ OMX Vilnius Exchange. Lifosa AB became a subsidiary of the privately Russian-owned Swiss based EuroChem Group in 2002. The company receives its Western Sahara phosphate rock at the harbor of Klaipeda, Lithuania.

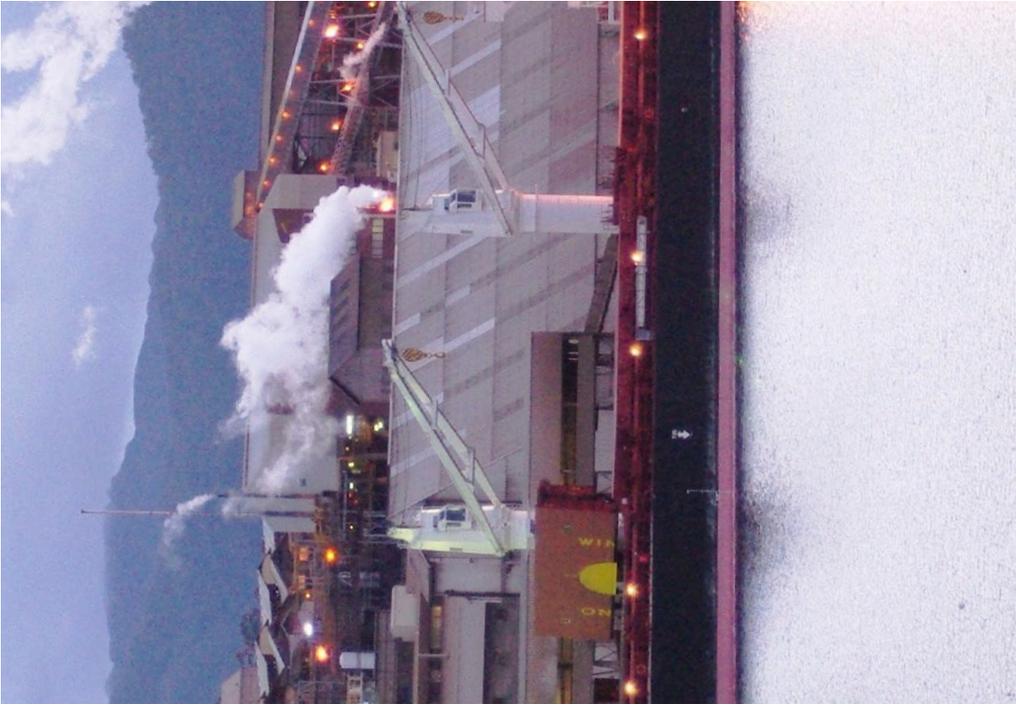
The company took in its last shipment on 8 October 2016, in spite of a promise by Eurochem in February that same year that "... the Group does not intend to purchase phosphate rock from Western Sahara in 2016 or at any time over the foreseeable future."<sup>92</sup> The cargo was destined for Lifosa, as Lifosa's managing director admitted to Lithuanian media.<sup>93</sup> EuroChem confirmed to WSRW on 23 March 2017 that its subsidiary had indeed imported 68,250 tonnes on board the SBI Flamenco.<sup>94</sup>

"EuroChem believes in vertical integration for economic and strategic reasons and this remains the case. We aspire toward the goal of raw material self-sufficiency and our investments in Kazakhstan and Kovdorskiy were intended to help us become self-sufficient in the production of phosphate rock. The production of our own raw materials from these two investments has progressed at a slower pace than projected and so we continue to require third-party supplies of phosphate rock", the company wrote.

WSRW has been in dialogue with both Lifosa and its owners EuroChem Group since 2010. But the company's initial reluctance to thoroughly respond to WSRW's questions resulted in its June 2011 delisting from the UN List of Socially Responsible Corporations.

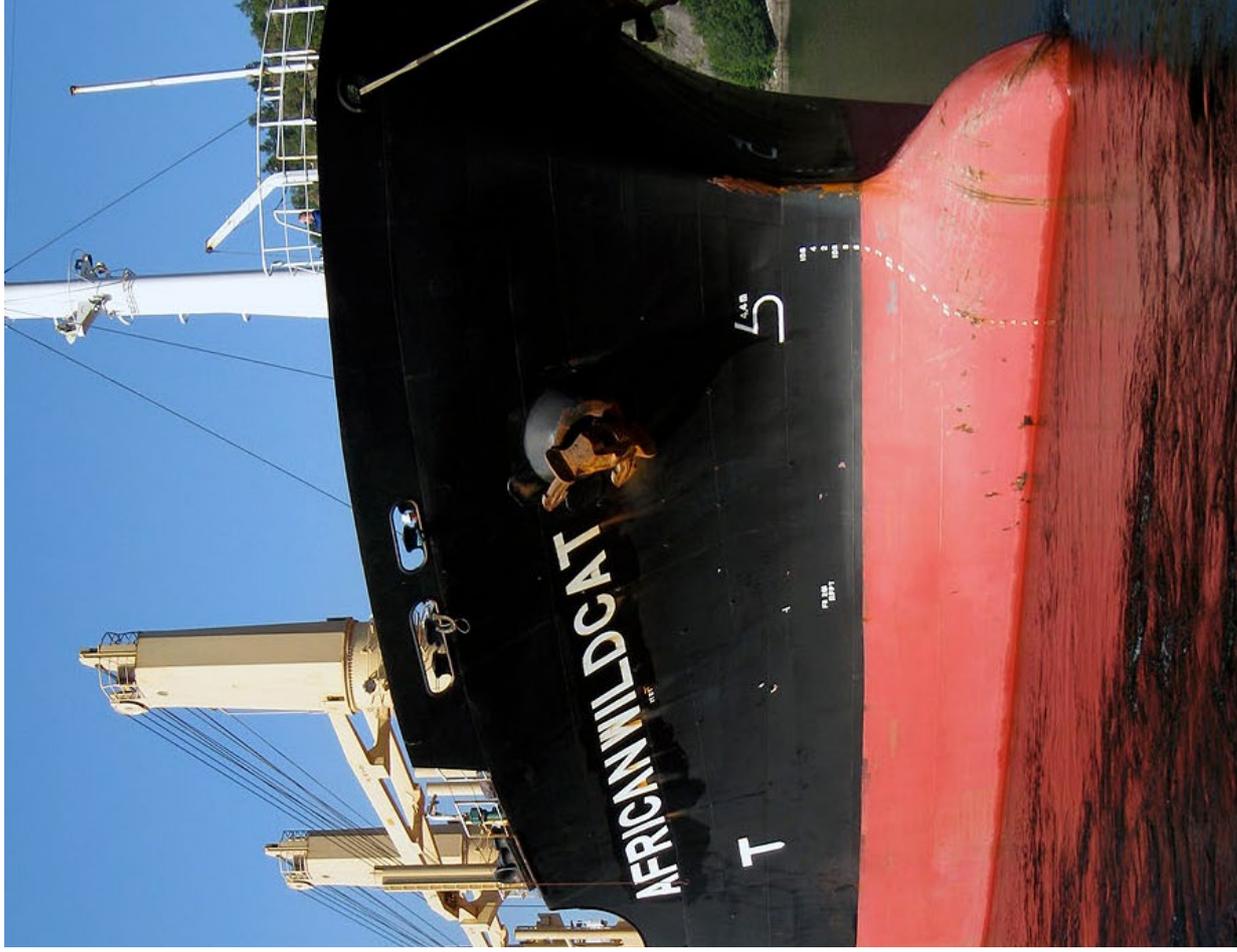
Ever since, Lifosa/EuroChem has actively sought ways to maintain its dialogue with WSRW and conduct further due diligence with regard to importing from Western Sahara while under occupation. The

Impact Fertilisers in  
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imported since the  
arrival of Alycia in  
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7 August 2012.



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## nal ASA

Yara is the world's leading supplier of mineral fertilizers. It used to be a large importer of phosphates from Western Sahara in the past, but has since decided to cease doing so. The main motive for the decision to stop purchasing has been that the Norwegian government urges Norwegian companies not to trade with goods from Western Sahara, due to concerns of international

import is more to the headquarters of Mosaic's phosphate operations and many of the firm's phosphate production facilities.

On 25 August 2010, Mosaic informed WSRW that it had received its last shipment of Western Sahara phosphate rock on 29 January 2009 and that it "has no plans" to import from the territory again.<sup>104</sup> Mosaic confirmed to the Swedish investor and shareholder Nordea that it had halted imports: "Mosaic has now disclosed that they have discontinued their purchase of phosphate from Western Sahara, which also has been independently confirmed. The company has acknowledged the human rights issues involved with importing phosphate from Western Sahara". Nordea wrote.<sup>105</sup>

## BASF SE (Germany/Belgium)



BASF was one of the leading importers through the 1990s. It received its last known shipment to Belgium in 2008.<sup>107</sup> BASF's sustainability centre was confident such import did not violate international law, but confirmed to WSRW that it would not expect more imports: "A part of BASF's phosphate demand is covered by Moroccan phosphate delivered by Office Chérifien des Phosphates (OCP). OCP has been a reliable supplier of phosphate from mines in the Kingdom of Morocco for over 20 years.

OSCP, was a major import two decades. Earliest k date back to 1990.

In 2009, the firm said it would invest in to use other phosphate possibility that the imp depending on price and sion followed a wave c trade in phosphate fro import between 60 and

Wesfarmers has o phase down imports fr categorically to comple to have stopped, some WSRW has not ob; started daily monitorin

BASF is not known to have imported since the arrival of the bulk vessel Novigrad on 7 October 2008, here seen discharging.  
Saharawi phosphate is

111 ANÁLISIS DE LOS INTERES DE PALACIO, ANA Y SUS INTERES EN Madrid, Brussels and Washington.

WSRW contacted both firms with the request to share their legal opinion with the Saharawi people. DLA Piper replied that it could not share the opinion that "was written for the benefit of Phosphates de Boucraa S.A., and its holding company, Office Chérifien des Phosphates S.A." due to legal privilege.<sup>112</sup> Ana Palacio, head of Palacio y Asociados, wrote back to express her disagreement with WSRW's analysis and also cited legal privilege.<sup>113</sup>

In November 2015, PotashCorp named the firm **Dechert LLP** and Palacio y Asociados as co-authors of a legal opinion. Dechert LLP is an international law firm, headquartered in Philadelphia, USA, with offices in 14 countries.

Up until August 2014, PotashCorp had named DLA Piper as the partner of Palacio y Asociados. It is not clear whether the Dechert-Palacio opinion is different from the DLA Piper-Palacio opinion. The missing link between the two could be Myriam González Durán, wife of Britain's former Deputy Prime Minister Nick Clegg, who represented OCP when working at DLA Piper, but who is said to have taken the OCP contract with her when she moved to Dechert. OCP has reportedly paid an estimated US \$15 million for work carried out by both Dechert and DLA Piper.<sup>114</sup>

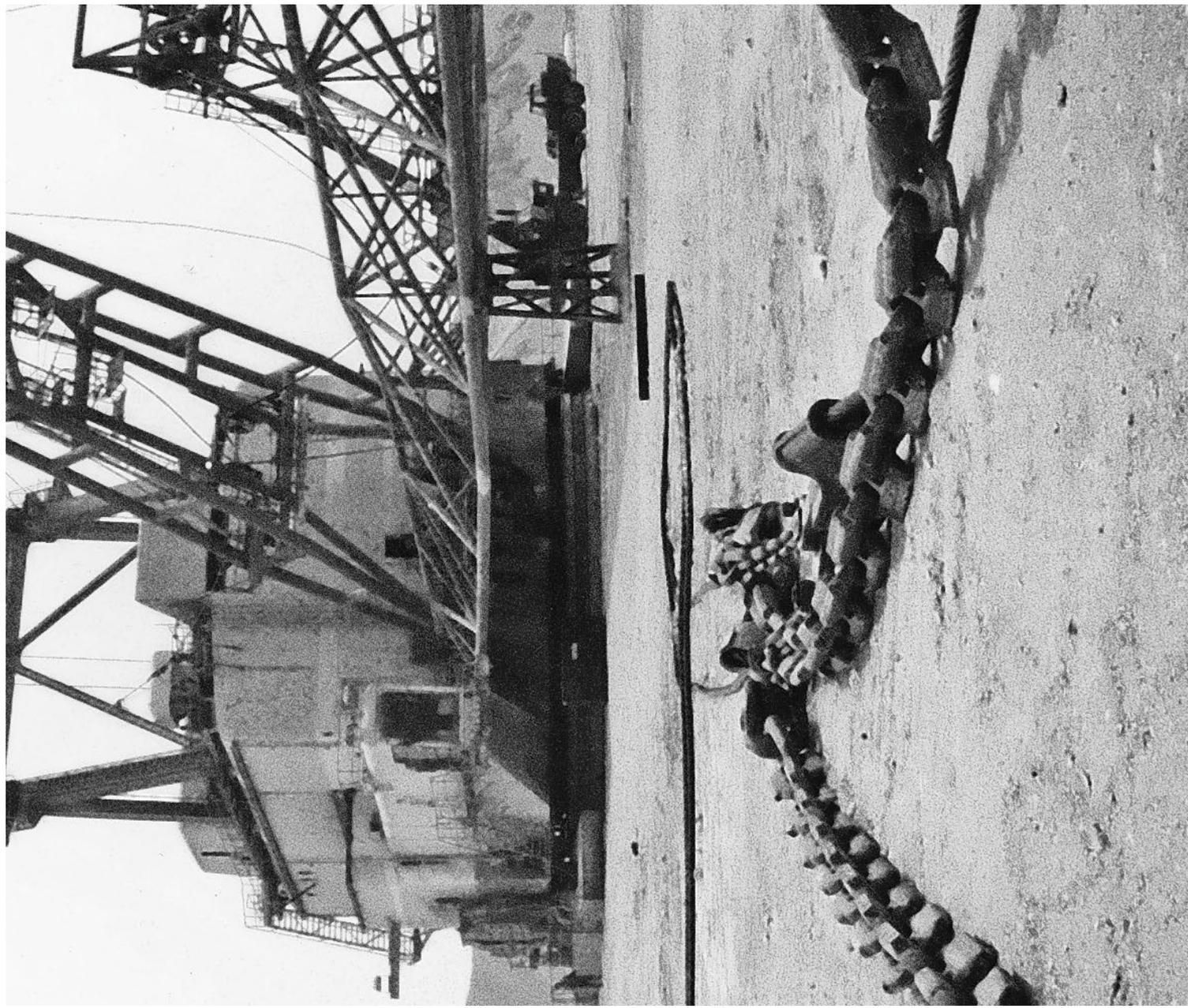
Dechert replied to WSRW's letter of 8 February 2016 that it could not disclose its legal opinion for OCP due to client confidentiality.<sup>115</sup>

WSRW has asked Dechert and Palacio y Asociados whether their client would consent to waiving privilege, as the confidentiality of the legal opinions as already been given up by making their existence public. WSRW never received a reply to that request.

OCP has failed to answer requests from Saharawis to share copies of the reports.

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1 December 2016.

3. UN Legal Counsel, *Legal Opinion on the Territorial Status of Western Sahara*, 23 January 2002, <http://www.un.org/Docs/journal/asp/ls.asp?m=s/2002/161>
4. OCP SA, *Prospectus* – 20 April 2015, p.91
5. *Ibid.*, p. 89.
6. *Ibid.*, p. 98.
7. *Ibid.*, p. 91.
8. *Ibid.*, p. 123.
9. OCP Annual report 2015, pp. 154-159, <http://www.ocpgroup.ma/sites/default/files/alldocs/RA%20OCP%202015%20UK.pdf>
10. OCP SA, *Prospectus* – 20 April 2015, p. 33.
11. WSRW.org, 25.11.2014, Morocco admits to using Saharawi resources for political gain, <http://www.wsrw.org/al05x3070>
12. AP Funds, 30.09.2013, Swedish AP Funds exclude four companies accused of contravening international conventions, <http://www.ap2.se/en/news-reports/news/2013/swedish-ap-funds-exclude-four-companies-accused-of-contravening-international-conventions/>
13. WSRW.org, 01.12.2014, Investor blacklisted Agrium for imports from occupied Western Sahara, <http://www.wsrw.org/al05x3078>
14. Fonds de Compensation commun au régime général de pension (FDC), FDC Exclusion List as of 15 November 2014, [http://www.fdc.lu/fileadmin/file/fdc/Organisation/Liste\\_d\\_exclusion20141115.pdf](http://www.fdc.lu/fileadmin/file/fdc/Organisation/Liste_d_exclusion20141115.pdf)
15. PGB Pensioenfond, Exclusion List Q1 2016 (Fixed Income), [http://www.pensioenfondspgb.nl/nl-nl/Documents/Beleggingen/PGB%20Exclusion%20List%20Q1%202017%20\(Period%20January%201st%202017%20-%20March%2031st%202017\).pdf](http://www.pensioenfondspgb.nl/nl-nl/Documents/Beleggingen/PGB%20Exclusion%20List%20Q1%202017%20(Period%20January%201st%202017%20-%20March%2031st%202017).pdf)
16. Swedish National AP Funds, Ethical Council, Annual Report 2014, 9 April 2015, <http://media.etikradet.se/2015/04/150320-Etikr%C3%A5det-ENG-ver2.pdf>
17. Council on Ethics, Norwegian Government Pension Fund, Recommendation 26 September 2014 to exclude Innophos Holdings Inc, [http://www.etikkradet.no/files/2017/02/Recommendation\\_Innophos\\_Sept-2014\\_ENGLISH.pdf](http://www.etikkradet.no/files/2017/02/Recommendation_Innophos_Sept-2014_ENGLISH.pdf)
18. Shelley, T. (2004), *Endgame in the Western Sahara*.
19. Hodges, T. (1983), *Western Sahara: The Roots of a Desert War*.
20. France Libertés, January 2003, Report: International Mission of Investigation in Western Sahara.
21. OCP SA, OCP Inaugural bond issue to the amount of 1.85 billion US dollars in two parts with a maturity of 10 years and 30 years, [http://www.ocpgroup.ma/sites/default/files/communiqués/CP\\_OCP\\_1\\_55\\_milliards\\_dollars\\_06052014\\_vFR\\_2\\_EN-GB.pdf](http://www.ocpgroup.ma/sites/default/files/communiqués/CP_OCP_1_55_milliards_dollars_06052014_vFR_2_EN-GB.pdf)
22. Business Wire, 15.04.2015, OCP successfully prices a US \$1 billion offering with a 10.5 year maturity at a 4.5% coupon, <http://www.businesswire.com/news/home/20150415006850/en/OCPSuccessfully-Prices-1-Billion-Offering-10.5>
23. OCP Annual report 2015, p. 106 and pp. 154-159.

34. WSRW, 02.11.2016, *Report: Powering the Plunder*, <http://www.wsrw.org/al06x3614>
35. WSRW, 26.05.2013, WSRW protests Swedish supplier for BouCraa, <http://www.wsrw.org/a217x2591>
36. WSRW to Atlas Copco, 27.03.2017, [http://www.wsrw.org/files/dated/2017-03-27/2017.03.27\\_wsrw-atlascopco.pdf](http://www.wsrw.org/files/dated/2017-03-27/2017.03.27_wsrw-atlascopco.pdf) The company responded to WSRW on 10.04.2017 that "As stated in previous communication, as well as on our website, Atlas Copco's sells products to a Moroccan customer who also has one mine located in Western Sahara. In 2008, Atlas Copco sold two drill rigs to this site through the customer in Morocco. Atlas Copco has enhanced efforts to detect and ensure that no future indirect or direct sales in these regions go to projects that may violate international law. Atlas Copco always complies fully with all trade laws, regulations and sanctions. There is no new information that we can share about the concerned business or the customer". It refused to comment further on the WSRW questions.
37. Continental, STAHLCORD® ST 2500, Phosboucraa (Morocco), [http://www.contitech.de/pages/produkte/transportbaender/cbg-referenzen/stahlcord\\_25\\_en.html](http://www.contitech.de/pages/produkte/transportbaender/cbg-referenzen/stahlcord_25_en.html)
38. WSRW to Continental, 29.03.2017, [http://www.wsrw.org/files/dated/2017-03-29/2017.03.29\\_wsrw-continental.pdf](http://www.wsrw.org/files/dated/2017-03-29/2017.03.29_wsrw-continental.pdf)
39. WSRW.org, 27.03.2018, Reply letter by ContiTech to WSRW, 10 April 2017, <http://www.wsrw.org/a246x4148>
40. WSRW.org, 15.06.2017, Saharawis won first round in conflict mineral cargo court case, <http://lwsrw.org/a246x3912>
41. OCP Group, OCP Group refuses to participate in South Africa Trial that undermines UN Resolution Process & International Law, 13.07.2017, <http://www.ocpgroup.ma/media/corporate-news/ocp-group-refuses-participate-south-africa-trial-undermines-un-resolution-process>
42. WSRW.org, SA Court confirms: Morocco has no ownership over Saharawi phosphates, 23.02.2018, <http://lwsrw.org/al05x4098>
43. Read more about the story behind the arrest in the article 'Plunder intercepted - The legal case to seize globally traded phosphate from occupied Western Sahara' by Jeffrey Smith in 'Profit over Peace - How commercial interests undermine self-determination in the last colony in Africa', 2018, E. Hagen, M. Pfeifer (eds), Sternberg Press.
44. Court of Justice of the European Union, Judgment of the Court (Grand Chamber), 21 December 2016, Case C-104/16 P, Council of the European Union v Front Polisario, available via: [www.curia.europa.eu](http://www.curia.europa.eu)
45. WSRW.org, 25.04.2017, P for Plunder 2016, [http://www.wsrw.org/files/dated/2017-04-24/p\\_for\\_plunder\\_2016\\_web.pdf](http://www.wsrw.org/files/dated/2017-04-24/p_for_plunder_2016_web.pdf)
46. Ballance Agri-Nutrients, Annual Report 2007, [http://www.wsrw.org/files/dated/2009-02-09/ballance\\_ar\\_2007.pdf](http://www.wsrw.org/files/dated/2009-02-09/ballance_ar_2007.pdf)
47. WSRW.org, 01.06.2017, Ballance takes in new controversial cargo to replace detained vessel, <http://www.wsrw.org/al05x3903>
48. Otago Daily Times, 22.03.2010, Firm remembered with name of ship,

55. WSRW.org, 28.02.20 Sahara, <http://lwsrw>
56. South China Mornir <http://www.scmp.c>
57. Sysla, 27.07.2015, <http://www.dh.no/mot-handel-ved-ve>
58. Dagens Næringsliv, <http://www.dh.no/beklagelig-glipp>
59. vest-sahara.no, 24.1 <http://vest-sahara.no>
60. Agrium Inc, 26.09.2 with OCP SA., <http://releases/2011/agriu>
61. The Tyee, 14.10.2013 conflict mineral, <http://www.wsrw.org/AgriBusiness-Moroc>
62. Agrium to WSRW, 3 dated/2017-04-02/2 See also WSRW to , dated/2017-04-02/2
63. WSRW.org, WSRW t
64. Reuters, 25/01/2018 year end, <https://w sqm-stake-sale-by/end-idUSL2NIPKIXC>
65. *Ibid.*
66. PotashCorp, Phosp <http://www.potash>
67. WSRW.org, WSRW t
68. WSRW to PotashCo dated/2017-04-02/2 PotashCorp to WSF dated/2017-04-02/2
69. Paradeep Phosphat [http://www.parade content\\_show-title](http://www.parade content_show-title)
70. Paradeep Phosphat [http://www.parade content\\_show-title](http://www.parade content_show-title)
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WSRW has contacted operators representing 21 of the 24 vessels. Letters from WSRW, and answers are found on <http://wsrw.org/a105x4147>

For the remaining 3 vessels, WSRW has not had the relevant email addresses.

| Arrival                  | Vessel Details                                | Estimated cargo (tonnes) | Reg. owner              | Reg. owner address  | Reg. owner nationality | Group owner                    | Group owner - registered nationality | Group owner - nationality of controlling interest | Operator address  | Operator nationality | Operator email  |
|--------------------------|---|--------------------------|-------------------------|---|------------------------|--------------------------------|--------------------------------------|---|---|----------------------|---|
| 19/03/2017               | IMO # 9289013<br>MMSI 257316000<br>53,565 DWT | 50000                    | Spar Shipping AS        | Kokstadflaten 30, 5257 Kokstad  | Norway                 | Spar Shipping AS               | Norway                               | Norway  | Kokstadflaten 30, 5257 Kokstad  | Norway               | mail@sparshipping.com   |
| 04/04/2017               | IMO # 9668893<br>MMSI 235107902<br>81,922 DWT | 75000                    | Chujin Shipping SA      | Care of Kambara Kisen Co Ltd, 1083, Tsuneishi, Numakuma-cho, Fukuyama-shi, Hiroshima-ken, 720-0396                            | Japan                  | Tsuneishi Group                | Japan                                | Japan   | d'Amato Fratelli SpA<br>Via dei Fiorentini 21, 80133 Naples<br>NA                   | Italy                | operation@fratellidamato.com, technical@fratellidamato.com, chartering@fratellidamato.com |
| 01/06/2017               | IMO # 9691814<br>MMSI 229697000<br>63,104 DWT | 60000                    | Hako Maritime Ltd       | Care of GSD Denizcilik Gayrimenkul Insaat Sanayi ve Ticaret AS, Kaptan Rifat Sokak 3, Aydinevler Mah, Maltepe, 34854 Istanbul | Turkey                 | GSD Holding AS                 | Turkey                               | Turkey  | GSD Denizcilik Kaptan Rifat Sokak 3, Aydinevler Mah, Maltepe, 34854 Istanbul        | Turkey               |   |
| ca 12/05/2017            | IMO # 9724764<br>MMSI 538007288<br>63,025 DWT | 60000                    | GH Northern Dancer LLC  | Care of Union Apex Shipping Co Ltd, 12th Floor, 200, Gloucester Road, Wan Chai  | China                  | Great Harvest Maeta Group      | Cayman Islands                       | Hong Kong   | Union Apex Shipping Co Ltd<br>12th Floor, 200, Gloucester Road, Wan Chai, Hong Kong | China                |   |
| Detained in South Africa | IMO # 9703655<br>MMSI 538006164<br>60,494 DWT | 55000                    | NM Shipping SA          | Care of AM Nomikos Transworld Maritime Agencies SA, Euroco Building, 1, Alamanas Street, Marousi, 151 25 Athens               | Greece                 | AM Nomikos Transworld Maritime | Panama                               | Greece  | AM Nomikos Euroco Building, 1, Alamanas Street, Marousi, 151 25 Athens              | Greece               | amngr@nomikos.gr  |
| 09/06/2017               | IMO # 9767481<br>MMSI 374883000<br>61,188 DWT | 59840                    | La Darien Navegacion SA | Care of Shoen Kisen Kaisha Ltd, 4-52, Kora-cho 1-cho, Imabari-shi, Ehime-ken, 799-2111  | Japan                  | Shoen Kisen Kaisha Ltd         | Japan                                | Japan   | Ultrabulk Shipping A/S<br>Camillo Eitzen House, Amerika Plads 38, 2100              | Denmark              | operations.cph@ultrabulk.com  |

|                 |               |   |       |  |                     |   |                                |  |                                |                                      |                                |                                |                                      |                                |  |
|-----------------|---------------|---|-------|--|---------------------|---|--------------------------------|--|--------------------------------|--------------------------------------|--------------------------------|--------------------------------|--------------------------------------|--------------------------------|--|
| d.              | 01/10/2017    | IMO # 9520004<br>MMSI 271000836<br>18830 DWT  | 17000 | ve Ticaret AS<br>Sokak 2. Altunizade Mah.<br>Uskudar. 34662 Istanbul   | Turkey              | Demir Celik<br>Endustrisi                 | Turkey                         | ve Ticaret AS<br>Kaynak Sokak<br>2. Altunizade<br>Mah. Uskudar.<br>34662<br>Istanbul | Turkey                         | Nisshin<br>Shipping Co<br>Ltd        | Japan                          | Japan                          | Nisshin<br>Shipping Co<br>Ltd        | Japan                          | ship@bigthree.co.jp.<br>tramp@bigthree.co.jp |
| Zealand<br>(n)  | 27-30/08/2017 | IMO # 96600619<br>MMSI 545568000<br>57936 DWT | 55000 | Ratu Shipping<br>Co SA<br>Care of Nisshin Shipping Co Ltd<br>(Nisshin Kaiun KK), 19th Floor.<br>Nihonbashi 1-chome Building. 4-1.<br>Nihonbashi 1-chome. Chuo-ku.<br>Tokyo. 103-0027 | Japan               | Nisshin<br>Shipping<br>Co Ltd             | Japan                          | Nisshin<br>Shipping Co<br>Ltd  | Japan                          | BW Maritime<br>Pte Ltd               | Bermuda                        | Bermuda                        | BW Maritime<br>Pte Ltd               | Bermuda                        | marinesafety.sgp@<br>bwshipping.com          |
| nited<br>p Inc) | ca 10/08/2017 | IMO # 9626687<br>MMSI 232005859<br>81150 DWT  | 78000 | BW Dry Cargo<br>Ships Ltd<br>Care of BW Maritime Pte Ltd.<br>18-01, Mapletree Business City. 10.<br>Pasir Panjang Road. Singapore<br>117438  | Bermuda             | BW Group<br>Ltd                           | Bermuda                        | BW Group<br>Ltd  | Bermuda                        | SITC Steam-<br>ships Co Ltd          | China, People's<br>Republic Of | China, People's<br>Republic Of | SITC Steam-<br>ships Co Ltd          | China, People's<br>Republic Of | icefeng@sitc.com.cn                          |
| Canada<br>)     | 01/10/2017    | IMO # 9520780<br>MMSI 477925300<br>58107 DWT  | 56000 | SITC Taishan<br>Shipping Co Ltd<br>Care of SITC Steamships Co<br>Ltd. 44, Xiaogang Yilu, Shinan<br>Qu, Qingdao, Shandong, 266011,<br>China.  | Hong Kong,<br>China | SITC Inter-<br>national<br>Holdings<br>Co | China, People's<br>Republic Of | SITC Inter-<br>national<br>Holdings<br>Co  | China, People's<br>Republic Of | Dry Bulk<br>Handy Holding<br>Inc     | Japan                          | Japan                          | Dry Bulk<br>Handy Holding<br>Inc     | Monaco                         | operations@ctmmc.<br>com                     |
| New<br>nts)     | 29/09/2017    | IMO # 9622813<br>MMSI 370699000<br>56088 DWT  | 54000 | M&S Ship<br>Holding SA<br>Building, 18-11,<br>Kamimeguro 1-chome, Meguro-ku,<br>Tokyo. 153-0051  | Japan               | Meiji<br>Shipping<br>Group                | Japan                          | Meiji<br>Shipping<br>Group   | Japan                          | Golden Ocean<br>Group Ltd            | Bermuda                        | Bermuda                        | Golden Ocean<br>Group Ltd            | Bermuda                        | operation@golden-<br>ocean.no                |
| nited<br>p Inc) | 14/09/2017    | IMO # 9595723<br>MMSI 538004290<br>81586 DWT  | 79000 | Golden Keen<br>Inc<br>Care of Golden Ocean Group Ltd<br>(GOGI), Par la Ville Place, 14, Par<br>la Ville Road, Hamilton, HM 08,<br>Bermuda.   | Liberia             | Golden<br>Ocean<br>Group Ltd              | Bermuda                        | Golden<br>Ocean<br>Group Ltd   | Bermuda                        | Ultrabulk<br>Shipping A/S            | Denmark                        | Denmark                        | Ultrabulk<br>Shipping A/S            | Denmark                        | operations.cph@<br>ultrabulk.com             |
| Canada<br>)     | 16/10/2017    | IMO # 9757826<br>MMSI 374654000<br>61084 DWT  | 59000 | Tatei Naviera<br>SA<br>Care of MMSL Pte Ltd, 10-03, 78,<br>Shenton Way, Singapore 079120   | Panama              | Chiba<br>Shipping<br>Co Ltd               | Japan                          | Chiba<br>Shipping<br>Co Ltd  | Japan                          | C Transport<br>Maritime SAM          | Bermuda                        | Bermuda                        | C Transport<br>Maritime SAM          | Monaco                         | operations@ctmmc.<br>com                     |
| Canada<br>)     | 06/11/2017    | IMO # 9699036<br>MMSI 636016819<br>65531 DWT  | 63000 | Nautical Bulk<br>Shipping 1 Ltd<br>Care of C Transport Maritime<br>SAM (CTM SAM), 7, rue du Gabian,<br>98000 Monte Carlo, Monaco.  | Bermuda             | Nautical<br>Bulk<br>Holding<br>Ltd        | Bermuda                        | Nautical<br>Bulk<br>Holding<br>Ltd   | Bermuda                        | Ultra Summit<br>Singapore Pte<br>Ltd | Singapore                      | Singapore                      | Ultra Summit<br>Singapore Pte<br>Ltd | Singapore                      | operations.cph@<br>ultrabulk.com             |
| Canada<br>)     | 29/11/2017    | IMO # 9589798<br>MMSI 566157000<br>61412 DWT  | 59000 | Ultra Summit<br>Singapore Pte<br>Ltd<br>Care of Belships Management<br>Singapore Pte Ltd, 9-104, Trade<br>Hub 21, 18, Boon Lay Way   | Singapore           | Ultrabulk<br>Shipping<br>A/S              | Chile                          | Ultrabulk<br>Shipping<br>A/S   | Chile                          | Ultrabulk<br>Shipping A/S            | Denmark                        | Denmark                        | Ultrabulk<br>Shipping A/S            | Denmark                        | operations.cph@<br>ultrabulk.com             |

// AUIERIS,  
Greece.

|                                |            |  |       |                                    |  |                     |                                      |                                |                                |  |  |                                   |   |        |
|--------------------------------|------------|--|-------|------------------------------------|--|---------------------|--------------------------------------|--------------------------------|--------------------------------|--|--|-----------------------------------|---|--------|
| New                            | 27/11/2017 | IMO # 9714707<br>MMSI 538006140<br>6192 DWT  | 59000 | SBI Tango<br>Shipping Co Ltd       | Care of Scorpio Commercial<br>Management SAM, Le Millenium,<br>9, boulevard Charles III, 98000<br>Monaco-Ville, Monaco.  | Marshall<br>Islands | Scorpio<br>Bulkers<br>Inc            | Marshall Islands               | Monaco                         | Scorpio<br>Commercial<br>Management    | Le Millenium,<br>9, boulevard<br>Charles<br>III, 98000<br>Monaco-Ville,<br>Monaco.   | Monaco                            | operations@<br>scorpiogroup.net                             | v      |
| Canada<br>)                    | 16/12/2017 | IMO # 9712888<br>MMSI 477900700<br>61450 DWT | 59000 | Pacific<br>Constant Shpg<br>Co Ltd | Care of Hong Kong Ming Wah<br>Shipping Co Ltd, 32nd Floor,<br>China Merchants Tower, Shun<br>Tak Centre, 168-200, Connaught<br>Road Central, Central, Hong Kong,<br>China. | Hong Kong,<br>China | China<br>Merchants<br>Energy<br>Shpg | China, People's<br>Republic Of | China, People's<br>Republic Of | Hong Kong<br>Ming Wah<br>Shpg Co Ltd   | 32nd Floor,<br>China<br>Merchants<br>Tower, Shun<br>Tak Centre,<br>168-200,<br>Connaught<br>Road Central,<br>Central, Hong<br>Kong, China. | Hong Kong,<br>China               | mwte@hkmw.com.hk  | v      |
| Canada<br>)                    | 31/12/2017 | IMO # 9543782<br>MMSI 241183000<br>57436 DWT | 55000 | Desert Oasis<br>ENE                | Care of Atlantic Bulk Carriers<br>Management Ltd, 41-43, Akti<br>Miaouli, 185 35 Piraeus, Greece.  | Greece              | Atlantic<br>Bulk<br>Carriers<br>Mgmt | Marshall Islands               | Greece                         | Atlantic Bulk<br>Carriers Mgmt         | 41-43, Akti<br>Miaouli, 185<br>35 Piraeus,<br>Greece.  | Marshall<br>Islands               | atlanticbulk@<br>atlanticbulk.gr                            | v<br>h |
| Jia<br>Phos-<br>)              | 13/12/2017 | IMO # 9653692<br>MMSI 477017700<br>53000 DWT | 51000 | Wellway<br>Shipping Ltd            | Room 1102, 11th Floor, Bupa<br>Centre, 141, Connaught Road<br>West, Sheung Wan, Hong Kong,<br>China  | Hong Kong,<br>China | China<br>Govt                        | China, People's<br>Republic Of | China, People's<br>Republic Of | Fujian Hua-<br>rong Marine<br>Shipping | 28th Floor,<br>Zhongfu<br>Plaza, 92,<br>Dong Jie,<br>Gulou Qu,<br>Fuzhou,<br>Fujian, China.  | China,<br>People's<br>Republic Of | go@huarongmarine.cn   | v      |
| Jia<br>Phos-<br>)              | 23/12/2017 | IMO # 9728681<br>MMSI 477307800<br>63376 DWT | 61000 | On Great Ltd                       | Rooms 601 & 602, Tower A,<br>Sinotrans Plaza, A43, Xizhimen<br>Beidajie, Xicheng Qu, Beijing,<br>100044  | China               | SINOTRANS<br>China                   | China                          | China                          | Sinotrans Ship<br>Management<br>Ltd    | 21st Floor,<br>Great Eagle<br>Centre, 23,<br>Harbour Road,<br>Wan Chai,<br>999077  | Hong Kong                         | marine@sinotranship.<br>com, technical@<br>sinotranship.com | v      |
| elton/<br>uranga,<br>nd<br>vn) | 14/01/2017 | IMO # 9636008<br>IMO 9636008<br>58000 DWT    | 55000 | Anarita<br>Maritime Ltd            | Care of Ocean Agencies Ltd, 2nd<br>Floor, Mariborough House, 298,<br>Regents Park Road, London, N3<br>21J, United Kingdom.   | Liberia             | Unknown                              | Unknown                        | Unknown                        | Ocean<br>Agencies Ltd                  | 2nd Floor,<br>Mariborough<br>House, 298,<br>Regents Park<br>Road, London,<br>N3 21J, United<br>Kingdom.                                    | United<br>Kingdom                 | operations@<br>ocean-agencies.com                           | n      |
| Canada<br>)                    | 26/01/2018 | IMO # 9570486<br>MMSI 355176000<br>61484 DWT | 59000 | Cypress<br>Maritime/Koyo<br>Shosen | Care of Shoen Kisen Kaisha Ltd,<br>4-52, Kora-cho 1-chome, Imabari-<br>shi, Ehime-ken, 799-2111  | Japan               | Shoen<br>Kisen<br>Kaisha Ltd         | Japan                          | Japan                          | Ultrabulk<br>Shipping A/S              | Camillo<br>Eitzen House,<br>Amerika<br>Plads 38, 2100<br>Copenhagen  | Denmark                           | operations.cph@<br>ultrabulk.com                            | v      |

The Court's conclusion is that the materials and information presented to it do not establish any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco or the Mauritanian entity. Thus the Court has not found legal ties of such a nature as might affect the application of General Assembly resolution 1514 (XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the Territory.”

International Court of Justice, 16 Oct 1975

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| ISBN (print)   | 978-82-93425-23-6 |
| ISBN (digital) | 978-82-93425-25-0 |