

Letter from Polisario to the Norwegian Ministry of Finance regarding natural resources in occupied territories

Minister of Finance Per-Kristian Foss
The Norwegian Ministry of Finance
Norway
30 November 2004

Dear Mr. Foss,

I am writing to bring to your attention our concerns with regard to the continues involvement of Kerr McGee, a multinational oil company in which the Norway government owns substantial shares.

Kerr-McGee has signed an illegal contract with the Kingdom of Morocco to prospect for oil off shore the disputed territory of Western Sahara in clear violation of international law and the wishes of the Saharawi people.

As you would be aware, Western Sahara is a territory that has been illegally invaded and occupied by Morocco in 1975. Both the international community and the United Nations have deplored this aggressive action, and the International Court of Justice (ICJ) has ruled that Morocco has no legal basis for claiming sovereignty over our country.

Western Sahara is included on the list of the United Nations as a 'Non self-governing territory. Since 1991 the UN has been trying to solve the conflict through the implementation of a settlement plan based on the organisation of a referendum of self-determination.

However, Morocco has obstructed the UN Settlement Plan and rejected all other peace initiatives despite tireless efforts of the UN Secretary General and his former Personal Envoy Mr. James Baker. The Moroccan government has chose to ignore countless Security Council resolutions demanding the implementation of the Peace Plan for Western Sahara.

Morocco persists in its abuse human rights in the occupied territories of Western Sahara. Hundreds of Saharawis have "disappeared" since the beginning of the conflict and others languish in Moroccan jails because of their rejection to Morocco's occupation.

The award of Reconnaissance Licenses over the territorial waters of Western Sahara to both Kerr McGee and TotalFinaElf by Morocco has been condemned by the SADR as an overtly provocative act by Morocco designed to escalate political tension in the region. This action is a clear affront to the indigenous Saharawi population, who view the conduct of these companies to be reprehensible.

The Under-Secretary-General of Legal Affairs, Mr Hans Correll, issued a legal opinion to the Security Council on the matter on 29 January 2002, in which he reaffirmed that Morocco has no sovereignty over Western Sahara. Mr Correll stated that if exploration and exploitation of the oil resources of the Territory "were to proceed in disregard of the interests and wishes of the people of Western Sahara, they would be in violation of the international law principles applicable to mineral resource activities in Non-Self-Governing Territories".

The Government of the SADR, which is a full-fledged member of the African Union and recognised by over 70 Countries world-wide, considers the activities of Kerr-McGee to be unauthorised, illegal and an insult to the Saharawi people.

We have on many occasions urged Kerr McGee to act in a responsible manner and stop its illegal operations in our country but until now the company has ignored our request. Total, which was similarly involved in our country, decided to end its activities and withdraw from the territory.

We would like to take this opportunity to call on the Norwegian government, as a part owner of Kerr

McGee, to consider ending its involvement with this company. We believe that the strict implementation of the ethical guidelines of the Petroleum Fund will deter this company which is acting in violation to international law and to the wishes of our people.

May also take this opportunity to express on behalf of the Saharawi people and on my own behalf our gratitude and sincere thanks for Norway's constructive position on the issue of Western Sahara.

We highly appreciate that Norway has always supported the UN in its efforts to find a just and lasting solution to the conflict in Western Sahara, in accordance with the UN charter and relevant General Assembly and Security Council resolutions, which support the right of the Saharawi people to self-determination. Furthermore, we greatly value that the cause of our people enjoys tremendous support and sympathy amongst the Norwegian people.

Please accept the assurance of our highest consideration.

Yours faithfully,
Mohamed Salem Ould Salek
Minister of Foreign Affairs of the Saharawi Arab Democratic Republic.

A copy of the letter is sent to:

- Mrs. Gro Nystuen, chair of the Ethical Council of the Petroleum Fund