

Brussels
24 April 2014

To the attention of William S. Hayes
Senior Vice President, Government Affairs
Kosmos Energy, LLC

Dear Mr Hayes,

We thank you for your letter of this April 17. Western Sahara Resource Watch (WSRW) has again carefully considered Kosmos Energy's continuing exploration for seabed petroleum in occupied Western Sahara and its announced plans to begin test well drilling later this year, including by hire of the motor vessel *Atwood Achiever*.

While WSRW's essential position remains unchanged – that the exploration or development of seabed petroleum in occupied Western Sahara is manifestly illegal within international law and international humanitarian law – we invite a continuing dialogue with your company, the better that it (and its shareholders) may understand the profound normative and ethical wrongs of being involved in Western Sahara at this time.

We wish to note two vital things. First, the Saharawi people (who alone were the sole inhabitants of the territory until its armed invasion in 1975) have rejected the exploration and development of natural resources, including by way of comparison, in respect of the coastal fishery and the taking of phosphate mineral rock from the inland central area of the occupied territory. The democratically elected government of the Saharawi people and a substantial number of civil society organizations have made clear a collective position that petroleum exploration is unacceptable while the Saharawi people await the exercise of their right of self-determination. We observe that your company continues to refer to the 2002 United Nations Legal Opinion on resource exploration and exploitation in Western Sahara, while it is evidently already working in contradiction of the core principles outlined in that document. We therefore ask you to stop referring to the Opinion to legitimize your continued presence in the territory.

Second, we note that the occupying state, Morocco, has no right or title to the seabed or its resources on the coast of Western Sahara. Please recall here the specific finding of the International

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Court of Justice in its October 1975 opinion on Western Sahara, that Morocco has no tenable basis to assert a territorial claim over Western Sahara. The absence of any right or historical-factual nexus to ground the licensing of petroleum exploration makes out the Saharawi position, and opens the door to future reparations claims.

In the spirit of continuing dialogue, we invite your reply to the particular rejoinders we have expressed here, and call for a meeting with our board of directors and senior officers of Kosmos Energy.

We look forward to your early reply.

With best regards,

Sara Eyckmans
International Coordinator
Western Sahara Resource Watch

A copy of this letter was sent to:

- HE Christopher Ross, UN Secretary-General's Personal Envoy for Western Sahara
- HE Wolfgang Weisbrod Weber, UN Special Representative and Head of the UN Mission for the Referendum in Western Sahara (MINURSO)

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