

Mr. Antti Lagerroos
Chief Executive Officer
Wärtsilä
John Stenbergin ranta 2
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28th September, 2010

RE: Regarding Wärtsilä's engagement in occupied Western Sahara

Dear Mr. Antti Lagerroos

The Finnish Peace Committee refers to coverage in Finnish and Moroccan media the last year regarding your involvement in an energy project in Western Sahara. We would like to draw your attention how this is of great concern for us, as we believe this engagement is politically problematic, highly unethical and potentially against international law.

As you probably know, most of Western Sahara is occupied by Morocco since 1975. To this day, no state or international organization recognizes Morocco's sovereignty over Western Sahara. The United Nations still consider Western Sahara as a Non-Self Governing Territory pending the process of decolonisation. Furthermore, the UN have repeatedly stated that the illegal occupation must end and that the Sahrawi population is entitled to freely exercise their right to self-determination through a free, fair and transparent referendum.

The occupation of Western Sahara has resulted in enormous suffering and deprivation for the Saharawi people, the rightful owners of the land and the natural resources of Western Sahara. Approximately 165,000 Saharawis are languishing in refugee camps in the inhospitable Algerian desert since 1975. The Saharawi population remaining in areas under Moroccan occupation is subjected to grave human rights violations, such as torture, forced disappearances and arbitrary detention.

The Moroccan government has several strategies to maintaining the occupation, and undermining the UN peace process. The most crucial part is through its efforts to colonise the territory with Moroccan settlers. This is currently being done by the Moroccan government in violation of the Fourth Geneva Convention. These settlers are given employment opportunities on the occupied land through the fisheries, agriculture and phosphate industries.

In the areas around Dakhla, where parts of your projects are located, the energy programme is directly connected to Morocco's strategies of further colonisation.

“The General Assembly deplores greatly the deterioration of the situation after Western Sahara continues to be occupied by Morocco and that the occupation has been expanded to the territory that

Mauritania has recently evacuated, ”the General Assembly Resolution 34/37 states regarding the very same spot where your project is going to be located.

As far as we see it, supporting the construction of infrastructure so that Morocco can continue its settlement programmes contributes directly to undermine the UN’s peace efforts, and is a direct support to the fuelling of energy to the settlements and the industries.

It would be wrong to claim that it contributes to the development of the region. One could ask for who’s development? Morocco’s current exploitation of Western Sahara hurts directly Saharawi’s labour rights and their economic development. It has been thoroughly documented how it is the Moroccans, and not the indigenous Saharawi people which primarily are offered employment.

Furthermore, Wärtsilä has not consulted Saharawi representatives which potentially violates international law as described in 2002:

The companies involved in this trade should be aware that contributing to fortify an occupation through supporting investments on occupied land could be in violation of international law. The International Court of Justice in its 1975 Western Sahara Advisory Opinion established that Morocco has no legal claim to Western Sahara. That same opinion affirmed that the Saharawi population has a right to self-determination, which includes, inter alia, the right of permanent sovereignty over its natural resources. Permanent sovereignty over natural resources is a customary principle of international law. Numerous resolutions of the United Nations Security Council and General Assembly and a legal opinion by the former UN Under-Secretary General of Legal Affairs, Mr. Hans Corell on 29 January 2002 affirm this position (Find his letter to the Security Council on (www.arso.org/Olaeng.pdf)). Because the Saharawi people have not been able to exercise their right to self-determination, and because they have not been properly consulted, trade with Morocco of natural resources emanating from Western Sahara is a violation of the Saharawi’s right to permanent sovereignty over their resources.

Businesses around the world have realized their ethical obligations and have stopped its investments in occupied Western Sahara, and purchases from the territory. In Norway, for instance, companies that have begun investments in the territory have withdrawn from completing such projects after being made aware of the political and ethical complexities involved. We can forward you more information on this, if you like.

WSRW knows that Morocco’s plunder of Western Sahara is an increasing concern among the ethical investor community worldwide. A growing number of investors, particularly in Scandinavia, have started to exclude firms from its portfolios of ethical reasons, from carrying out projects in Western Sahara.

We take note of the fact that your firm is a member of Global Compact. As you should know, a key principle of the GC establishes that members of the initiatives are expected to respect the human rights within their sphere of influence. You also acknowledge this on your home pages.

(<http://www.wartsila.com/en,press,0,,71DBBFC2-8DD0-4B0F-BEB0-19A8290E568E,,,htm>)

We believe it is not to the interest of Wärtsilä to be associated with this business. It clearly undermines Wärtsilä's intention to be perceived as a socially responsible firm, and conflicts starkly with your company's claim to adhere to the principles of the UN Global Compact initiative.

Therefore, we appeal to Wärtsilä to demonstrate its attachment to international legality, human rights and basic standards of corporate social responsibility by immediately cancelling your contract for development of energy projects in occupied Western Sahara.

We hope to hear from you whether this is something that your firm intends to do.

In order to present our concerns more clearly, we will ask for a meeting with your firm as quickly as possible.

Looking forward to hear from you.

Yours sincerely,

Teemu Matinpuro
Executive General of the Finnish Peace Committee

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Copy sent to:
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Ambassador of Finland to Rabat
Foreign Affairs Committee at the Finnish Parliament
Metalworkers' Union