

Brussels  
20 March 2018

To the attention of HE Mohammad Sanusi Barkindo  
Secretary General of the Organization of Petroleum Exporting Countries (OPEC)

**Re.: OPEC's position on the status of Western Sahara**

Your Excellency,

It is our privilege to present you with our compliments. We are writing in relation to OPEC's press release of today, 20 March 2018, entitled "HE Dr. Sun Xiansheng honoured with Crans Montana Forum's Gold Medal".<sup>1</sup> In that release, where you are quoted as praising Dr. Sun, it is stated that the Crans Montana Forum took place in "Dakhla, Morocco".

However, Dakhla is not part of Morocco, but rather a town located in the southern part of Western Sahara – a Non-Self-Governing Territory without an administering power appointed by the UN, that is yet to be decolonized by Spain.<sup>2</sup> Large parts of the territory, including the entire Atlantic coastline, are under Moroccan military control. Morocco does not have any sovereignty or international mandate to administer the territory.<sup>3</sup> The town of Dakhla is located on the part of the territory which the UN General Assembly referred to when it deeply deplored "the aggravation of the situation resulting from the continued occupation of Western Sahara by Morocco and the extension of that occupation to the territory recently evacuated by Morocco".<sup>4</sup>

The people of the territory, the Saharawis, have an internationally recognized right to self-determination. A UN mission, MINURSO, is present in the territory with the single task of organizing a referendum that will allow the Saharawis to determine the future status of their homeland.

Morocco does not distinguish between its own territory, as internationally recognized, and the parts of Western Sahara that it has annexed. In 2000, Morocco's issuing of oil exploration licenses prompted the UN Security Council to look into the legality of the matter. The UN Under-Secretary General for Legal Affairs, Dr Hans Corell, was clear that no exploration or exploitation of the territory's mineral resources could be considered lawful unless carried out in accordance with the wishes and the interests of the people of the territory. The Saharawis have always condemned the oil quest onshore and offshore their land.

China National Petroleum Corporation (CNPC), of which Dr. Sun used to be the President, has been involved in the oil exploration offshore Western Sahara for several years, through its subsidiary BGP.<sup>5</sup>

It is thus astonishing to read that the Secretary General of OPEC would praise both Dr Sun and the Crans Montana Forum – held under the patronage of the royal family who ordered the invasion of Western Sahara in 1975, and which to date holds strong economic interests in the territory – not in the least in the energy sector. "With his energy, commitment and foresight, HE Dr. Sun has had an extremely positive impact in strengthening and extending the

<sup>1</sup> [http://www.opec.org/opec\\_web/en/press\\_room/4889.htm](http://www.opec.org/opec_web/en/press_room/4889.htm)

<sup>2</sup> See e.g. the decisions of the Spanish Criminal Appeals Court (Audiencia Nacional) of 4 July 2014 and 9 April 2015, confirming that Spain, not Morocco, is the administering power over Western Sahara. The official English translation of the July 2014 decision can be found here: [wsrw.org/files/dated/2016-04-19/audiencia\\_nacional\\_4.7.2014\\_-\\_gdeim\\_izik.pdf](http://wsrw.org/files/dated/2016-04-19/audiencia_nacional_4.7.2014_-_gdeim_izik.pdf)

<sup>3</sup> See e.g. the Judgment of the General Court of the European Union, 10 December 2015, case T-512/12: Frente Polisario v Council of the European Union, §233: "The Kingdom of Morocco does not have any mandate granted by the UN or by any other international body for the administration of [Western Sahara]". Available via: [www.curia.europa.eu](http://www.curia.europa.eu)

<sup>4</sup> UN General Assembly 34/37, <http://www.un.org/documents/ga/res/34/a34res37.pdf>

<sup>5</sup> <http://wsrw.org/s-0x626770-sm00-stm00-sy0000-shw3-mto0-IEN>

producer-consumer dialogue, fulfilling the underlying objectives of the IEF, and elevating the prestige and engagement of the Forum in the global energy community,” today’s press release reads.

It becomes particularly astonishing, given that quite a number of OPEC Member States recognize Western Sahara as an independent State, with which they have active diplomatic relations.

We take note of the fact that the OPEC Fund for International Development (OFID) supports projects in Morocco, including an agreement signed on 11 Sept 2017 with the Moroccan state owned phosphate company OCP. The latter operates a phosphate mine in the occupied territories.<sup>6</sup>

We would be grateful if you could provide an answer to the following questions:

1. Does OPEC agree with the United Nations that Western Sahara is a Non-Self-Governing Territory?
2. What is OPEC’s assessment of Morocco’s status vis-à-vis Western Sahara?
3. Why does OPEC on its website refer to the town of Dakhla as being located in Morocco?
4. What is OPEC’s assessment of the legality of international oil operations in Western Sahara, such as the seismic studies carried out repeatedly by CNPC?
5. Is OFID in a position to support Moroccan projects in Western Sahara?
6. Is it OPEC’s view that Morocco is in a legal position to organize international events such as the Crans Montana Forum in Western Sahara?

We are most grateful for your consideration of our letter. We think it is in the interest of OPEC not to become entangled in this long-lasting conflict that comes with a high human cost. We are certain OPEC would in not in any way harm the UN’s efforts to broker peace in Western Sahara, especially not through praising initiatives or companies that side with the party that refuses to engage with the UN with regard to the peace talks centered on the exercise of self-determination.

We remain at your disposal should you require any further information on this concerning matter. We take the liberty to publish this letter on our website today ([www.wsrw.org](http://www.wsrw.org)). Your clarifications on the matter will be published upon receipt.

Sincerely,

Sara Eyckmans  
Coordinator  
Western Sahara Resource Watch  
[coordinator@wsrw.org](mailto:coordinator@wsrw.org)

A copy of this letter was sent to:

- UN Special Representative for Western Sahara and Head of UN Mission for the Referendum in Western Sahara, Mr Colin Stewart
- Personal Envoy of the UN Secretary General for Western Sahara, Mr Horst Köhler
- Crans Montana Forum
- China National Petroleum Company
- The OPEC Fund for International Development

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<sup>6</sup> <http://www.ofid.org/COUNTRIES/Africa/Morocco>