

To the attention of:
Mr. S Sankarasubramanian, president fertilisers
and Mr. S Goel, Managing Director
Coromandel International Limited

18 January 2019, Brussels

Re: Coromandel's imports from occupied Western Sahara

Dear Sirs,

Western Sahara Resource Watch is privileged to present you with our compliments. We are writing to enquire about Coromandel's import of phosphate rock from occupied Western Sahara.

The cargo was on board the bulk vessel *SBI Jaguar* that unloaded its cargo in your port at 16-17 January 2019. We expect that approximately 10,000 tonnes could have been discharged during the stay in port, for the use of your company. The rock originates from the Bou Craa mine in Western Sahara, and was shipped from the harbour of El Aaiun (also: Laayoune) on 12 December 2018.

As you perhaps know, Morocco illegally annexed the territory by military force in 1975 in violation of the basic right to self-determination of the people of Western Sahara. This military invasion was condemned by the United Nations General Assembly and to this day, Western Sahara remains listed by the UN as a Non-Self Governing Territory, pending a decolonization process.

In line with the International Court of Justice, the Court of Justice of the European Union has outlined, in four separate rulings, that the Government of Morocco does not have any legal basis, sovereignty or international mandate to administer Western Sahara. The recent court rulings of the Court of Justice of the European Union have also made it clear that in the event of an entity undertaking business in Western Sahara, consent must be obtained from the people of Western Sahara. This requirement of prior, free and informed consent from the people of the territory to the management and taking of their natural resources was also highlighted by the UN Human Rights Council in 2016, and by the UN Committee on Economic, Social and Cultural Rights in 2015.

The principles of the Court of Justice of the EU were applied in a ruling in the High Court in South Africa in 2018 relating to the case of *NM Cherry Blossom*, a bulk vessel that was detained for carrying stolen phosphates from the occupied territory. The South African court found that the Moroccan exporter had no right to sell minerals from the territory, nor that the importer had the right to acquire it.

We'd be grateful if you could provide answers to the following questions:

1. What volume was imported from Western Sahara by your company on board the *SBI Jaguar*?
2. As a corollary of the internationally recognized right to self-determination of the people of Western Sahara, and given the legal requirement of obtaining the prior, free and informed consent of the people of Western Sahara with regard to activities or projects in their land – as put forth by several UN Treaty bodies and the EU Court of Justice – what steps, if any, did Coromandel take to obtain the consent of the people of Western Sahara through their political representative, the Polisario Front, to import such goods from the territory?
3. Was this a one-off shipment, or has Coromandel plans to import further from the territory?

We are convinced that it is not in the interest of Coromandel International Ltd or any of its subsidiaries to become associated with the continued colonization and occupation of Western Sahara.

Numerous investors internationally have found such practice not to be in line with basic principles of Corporate Responsibility. This includes several of the owners of your company. Of this reason, all stock exchange registered companies in the world that have been involved in such purchases have ended this practice after their involvement was known.

We will tomorrow, on 19 January, post an article on our website www.wsrw.org relating to your imports, and welcome a quick response to this letter, so we can refer to it on our site, including it into the article.

Looking forward to hear from you,

Sincerely

Sara Eyckmans
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