Morocco’s exports of phosphates from occupied Western Sahara

Fertilizer companies from across the globe import controversial phosphate rock from Western Sahara, under illegal Moroccan occupation. This report shows which of them were involved in the trade in 2018.

With data from 2018
At the end of 2018, the Canadian company Nutrien stopped importing the conflict mineral from the Bou Craa mine in occupied Western Sahara. This marked the end of decades of imports into North America from the territory. The North American imports have constituted around 50% of the production in Bou Craa.
All life on the planet, and so all agricultural production, depends on phosphorus, P. The element is found in phosphate rock and turned into fertilizers. For the people of Western Sahara, their P does not grow into benefits. It’s rather the opposite.

For the sixth time, Western Sahara Resource Watch publishes a detailed, annual overview of the companies involved in the purchase of phosphates from occupied Western Sahara. The illegally exploited phosphate rock is one of the Moroccan government’s main sources of income from the territory it holds contrary to international law. Representatives of the Saharawi people have been consistently outspoken against the trade, both in the UN, generally, and to specific companies.

The list we present in this report is complete for calendar year 2018, naming all shipments of phosphates from occupied Western Sahara. The imports of Morocco’s production in Western Sahara in 2018 are attributed to six companies from four countries internationally, while approximately 72 companies worldwide have been identified as owning or operating the vessels that have transported the phosphate rock to the importers.

A remarkable development of 2018 was the end of phosphate rock exports to North America by the close of the calendar year. The North American imports, which have been ongoing since the 1980s, constituted almost 50% of the trade in 2018. The year also saw two new clients emerge, one in India and one in China. Interestingly, the importer to North America, Nutrien, is the second biggest owner of Sinofert Holdings – the new player in China. Since vessels transporting Western Saharan phosphate were detained in Panama and Cape Town in 2017, not a single shipment has gone via Cape of Good Hope or through the Panama Canal.

This report details a total exported volume from Western Sahara in 2018 of 1.93 million tonnes, with an estimated value at $163.88 million, shipped in 33 bulk vessels. That constitutes an increase in exports since 2017, the report shows. The largest importer in 2018 was Nutrien Ltd. from Canada. The operator most heavily involved is Ultrabulk A/S from Denmark, accounting for 6 of the 33 shipments in 2018.

Of the six remaining importers at the end of 2018, three are registered on international stock exchanges, two are farmer owned cooperatives in New Zealand and one is partially owned by the Government of India.

WSRW calls on all companies involved in the trade to immediately halt all purchases and all shipments of Western Sahara phosphates until a solution to the conflict has been found. Investors are requested to engage or divest unless action is taken.

### List of abbreviations

- **DWT**: Deadweight tonnage
- **OCP**: Office Chérifien des Phosphates SA
- **UN**: United Nations
- **US $**: United States Dollar
Morocco’s claim to sovereignty over Western Sahara is not recognised by any state, nor by the UN. Its arguments to claim the territory were rejected by the International Court of Justice.

The UN Legal Office has analysed the legality of petroleum exploration and exploitation in Western Sahara, a resource extraction activity – one now in exploration stages – that is of a similar nature to phosphate mining. The UN concluded that “if further exploration and exploitation activities 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.”

Yet, only weeks after the 1975 invasion of the territory, the phosphorus of the Bou Craa mine in Western Sahara was being exported to fertilizer companies in North America, Latin America, Europe and Australasia. The Bou Craa mine is managed by the Office Chérifien des Phosphates SA (OCP), now known simply as OCP SA. Morocco’s national phosphate company and today responsible for that country’s biggest source of income from Western Sahara.

Phosphates de Boucraa S.A (Phosboucraa) is a fully owned subsidiary of OCP. Its main activities are the extraction, beneficiation, transportation and marketing of phosphate ore of the Bou Craa mine, including operation of a loading dock and treatment plant located on the Atlantic coast at El Aaiun. OCP puts production capacity in Western Sahara at 2.6 million tonnes annually. Though OCP claims that Bou Craa mines represent only 1% of all phosphate reserves exploited by Morocco, no less than a quarter of its exported phosphate rock departs from El Aaiun. The exceptionally high quality of Western Sahara’s phosphate ore makes it a much coveted commodity for producers of fertilizers.

However, that tale could be coming to an end. The Bou Craa phosphate deposit consists of two layers. Until 2014, only the first, top layer had been mined. This particular layer contained phosphate rock of the highest quality across all reserves controlled by OCP. In 2014, Bou Craa phosphate mining moved on to the second layer, which is of lower quality. Morocco has sold all of the high quality phosphate that ought to have been available to the Saharawi people upon realizing their right to self-determination.

OCP claims that Phosboucraa is the largest private employer in the area, with around 2,100 employees – more than half of those are said to be locally recruited. It also alleges that Phosboucraa is a major provider of economic viability and well-being of the region’s inhabitants. OCP equally boasts the social impact of Phosboucraa, in terms of providing pensions to retirees, medical and social advantages to employees, retirees and their families, etc. OCP presents the purported economic and social benefits as a justification for its exploitation of phosphate mines outside of Morocco’s long-settled, internationally recognized borders. Morocco uses the Bou Craa phosphates for its political lobby-work to gain the support of other countries for its illegal occupation. An official Moroccan government document leaked in 2014 literally states that Western Sahara’s resources, including phosphate, should be used “to implicate Russia in activities in the Sahara”. The document goes on to say that “in return, Russia could guarantee a freeze on the Sahara file within the UN.”

The Controversy
“Western Sahara has been under Moroccan occupation since 1975 and is on the United Nations’ list of non-self-governing territories that should be decolonised. The UN’s legal counsel stated in January 2002 that exploration of mineral resources in Western Sahara without local consent would be in breach of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.”

Swedish government pension fund, AP-Fonden, upon exclusion of PotashCorp and Incitec Pivot from its portfolios. 11

“Agrium’s purchase of phosphates from Western Sahara by means of a long-term contract with OCP constitutes an unacceptable risk of complicity in the violation of fundamental ethical norms, and thereby contravenes KLP’s guidelines for responsible investment.”

Norwegian insurance company KLP regarding its divestments from Agrium Inc. 12

“The company’s exploitation of phosphates in Western Sahara is considered to violate the UN Charter article 73, the Hague Convention article 55, the Corell Opinion and therefore also UNGP principle 12 and OECD MND Article 4”

MP Pension, Denmark. Decision to exclude OCP from investment universe, 17 January 2019. 13

“Operations in occupied territory (Western Sahara)”

Fonds de Compensation commun au régime général de pension, Luxembourg, 23 November 2018, in reference to all involved phosphates companies. 14

“Nutrien is excluded for breaches of international norms through its continued sourcing of phosphate rock from occupied Western Sahara, without the consent of the Sahwari people.”

Nykredit Realkredit Group, Denmark, explaining its exclusion of Nutrien, April 2018. 15

“Human rights violations in Western Sahara”

PGB Pensioenfonds, the Netherlands, third quarter of 2015, upon excluding OCP SA from its portfolios. 16

“The Council does not believe that the company has been able to show that the business is consistent with the interests and wishes of the local population. Based on an assessment that further dialogue will not be productive, the Council has recommended that the AP Funds divest Agrium.”

Swedish Ethical Council, 9 April 2015, explaining why all Swedish government funds have now divested from Agrium Inc. 17

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The Shipments

In 2018, 1.93 million tonnes of phosphate rock was transported from Western Sahara. WSRW traced the entire flow. After the detention of vessels in South Africa and Panama in May 2017, no vessels have taken those traditional shipping routes. The year 2018 saw the first shipments to two new stock-exchange registered companies in India and China.
The Moroccan take-over of Bou Craa mine

1947: Western Sahara's phosphate reserves are discovered 130 kilometres southeast of El Aaiun in a place called Bou Craa. The discovery of phosphate reserves is the first potential source of mineral revenues for the colonial power, Spain.

July 1962: The Empresa Nacional Minera del Sahara is founded in order to operate the mine, which is owned by a Spanish public industrial sector company.

May 1968: The company is renamed Fosfatos de Bucraa, S.A., also known as Phosboucraa or Fos Bucraa.

1972: Spain starts to operate the mine. Many Spaniards find employment in the mines, as did the Saharawis, the native population of the Spanish Sahara, as the territory is known at the time.

1975: Mounting international pressure to decolonise forces Spain to come up with a withdrawal strategy from Spanish Sahara. A UN mission that was sent to Spanish Sahara in view of an expected referendum predicts that Western Sahara could very well become the world's second largest exporter of phosphates, after Morocco. Maintaining a claim to the phosphate deposits is a key consideration for the colonial power. Failing to decolonise Western Sahara properly, by allowing the people of the territory to exercise their right to self-determination, Spain strikes a deal through the Madrid Accords. It illegally transfers administration over the territory to Morocco and Mauritania, while retaining a 35% share of the Bou Craa mine. No state in the world, the UN, nor the people of Western Sahara, recognises the transfer of authority from Spain to the two states. Mauritania withdraws in 1979, admitting it had been wrong to claim and to occupy the territory. At the same time in 1975, recouping his authority after two failed coups d'état, Morocco's King Hassan II orders the Moroccan army to invade Western Sahara. The King may have hoped that this would give Morocco as much leverage to determine world phosphate prices as OPEC has over oil prices.

1 January 1976: The Madrid Accords come into effect and after a transition period of 16 months OCP would take over the management of the mines.

2002: Spain sells its 35% ownership of Bou Craa.


2019: Morocco continues to operate the mine in occupied Western Sahara. The average exports over the last years have generated an annual income of around US $200 million from a mine which is not theirs.
Large plans
An investment and development program worth USD 2.45 billion has been set up by OCP across all its operations for the period of 2012-2030. In that timeframe, the program will aim to modernize the Bou Craa mine, exploit deeper phosphate layers, create higher added-value products for export, increase the El Aaiun harbour capacity for phosphate activities and expand the social and sustainable development projects in the Bou Craa area.23

OCP states that, as part of its long-term investment program, financing of industrial development is planned, such as mining investments (worth around USD 250 million) that will include the building of a flotation/washing unit and upgrading of extraction equipment, as well as new infrastructure to extract lower phosphate layers.24

On 7 November 2015, exactly 40 years after Morocco’s invasion of Western Sahara, OCP announced it would invest USD 1.9 billion in Phosboucraa. The stated main objective is to develop Phosboucraa’s industrial capacity, in particular by installing a fertilizer production plant. In addition the logistic capacity of Phosboucraa is apparently to be reinforced.25 As of 2019, construction work is reported to be taking place.

Peak P
Phosphate is a vital component of the fertilizers upon which much of the global food production and food security depends. For some time, there has been concern about the world population’s reliance on a finite supply of phosphorus, and the implications of this for agricultural productivity, food prices and nutrition, particularly in developing countries. The term “peak phosphorus” has joined the concept of “peak oil” in the lexicon of 21st century scarcity. There are no substitutes for phosphorus in agriculture.

Morocco, with or without Western Sahara, controls the world’s biggest phosphate reserves and is the second largest producer of phosphates in the world.26

The increasing global need for phosphate rock and fertilizers was a contributing factor in the oddly fluctuating market price of the commodity in 2008. As global food demand and food prices have increased, there has been an added demand for phosphate. The world price of phosphate rock globally fluctuated from 70 to 92.5 USD/tonne throughout the year. In this report, the average price of phosphate in 2018 is calculated at an average of USD 85/tonne.

The world’s longest conveyor belt transports the rock from the mine inland out to the sea. Continental and Siemens are key partners for this belt. The Siemens windmills, built in 2013, provide all energy needed for the belt system.
**Methodology**

This report is made from data gathered through continuous vessel tracking. Phosphate prices were obtained from the commercial commodities pricing website ‘Index Mundi’ and checked against other sources. As the long-term supply contracts between OCP and the purchasers are likely to include set prices that are not disclosed, this report uses the annual average market price for phosphate rock of US $ 85.

The amounts of phosphate loaded into ships were ordinarily calculated to be 97% of the ship’s overall cargo (and bunker fuel and stores) capacity expressed in deadweight tonnes (DWT). Ships were tracked and confirmed to have arrived at stated destinations. Where possible, estimated loaded amounts were checked against shipping documents, including bills of lading and port arrival receipts.

WSRW believes that it has detected, tracked and accounted for all vessels departing from El Aaiún harbour for 2018. However, WSRW cannot exclude a possibility that one or more vessels have gone undetected.

Fluctuating export levels

In general, WSRW’s calculations over the last years are confirmed in OCP’s own reports.

Until 2006 the export of phosphate rock averaged 1.1 million tonnes annually, considerably less than the production capacity of 2.6 million tonnes. In the late 1970s, production stopped for three years during armed conflict in the territory. Only gradually achieving 2.0 million tonnes by the late 1990s. WSRW started daily monitoring in 2011. Our first report put OCP’s exports of phosphate mined in Bou Craa at 1.8 million tonnes in 2012 and 2.2 million tonnes in 2013. WSRW’s projection of 2.1 million tonnes of exported phosphate rock from Bou Craa in 2014 was confirmed in the volume of ‘processed’ phosphates as mentioned in OCP’s Prospectus filed on the Irish Stock Exchange. OCP estimates the Bou Craa reserves at 500 million tonnes. Bou Craa contributes around 7% of OCP’s total extracted volumes, and around 25% of its total sales of phosphate rock.

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**Fluctuating export levels**

<table>
<thead>
<tr>
<th>Year</th>
<th>Exported amount of phosphate</th>
<th>Value of exported phosphate</th>
<th>Estimated cost of production</th>
<th>Estimated revenue to OCP</th>
<th>Value of largest single shipment from the territory</th>
<th>Value of smallest single shipment from the territory</th>
<th>Number of ships that departed with phosphate from the territory</th>
<th>Average amount of phosphate exported in each ship</th>
<th>Average value of phosphate exported in each ship</th>
<th>Average annual phosphate price of Bou Craa rock (per tonne)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>1,591,840 tonnes</td>
<td>$142.74 million</td>
<td>$80 million</td>
<td>$62 million</td>
<td>$7,084 million</td>
<td>$1,524 million</td>
<td>27</td>
<td>59,000 tonnes</td>
<td>$5.3 million</td>
<td>$89.67</td>
</tr>
<tr>
<td>2018</td>
<td>1,928,000 tonnes</td>
<td>$163.9 million</td>
<td>$80 million</td>
<td>$84 million</td>
<td>$6,715 million</td>
<td>$4,420 million</td>
<td>33</td>
<td>58,400 tonnes</td>
<td>$4.97 million</td>
<td>$85</td>
</tr>
</tbody>
</table>
### The importers, 2018

<table>
<thead>
<tr>
<th>Rank</th>
<th>Corporation</th>
<th>Home country of (parent) company</th>
<th>Import destination</th>
<th>Number of shipments</th>
<th>Amount of phosphate purchased (tonnes)</th>
<th>Value of phosphate purchased (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nutrien Ltd.</td>
<td>Canada</td>
<td>Vancouver, Canada and Baton Rouge, United States</td>
<td>15</td>
<td>900,000</td>
<td>$76.50 million</td>
</tr>
<tr>
<td>2</td>
<td>Paradeep Phosphates Ltd.</td>
<td>India/Morocco</td>
<td>Paradip, India</td>
<td>9</td>
<td>469,000</td>
<td>$39.87 million</td>
</tr>
<tr>
<td>3</td>
<td>Ballance Agri-Nutrients Ltd.</td>
<td>New Zealand</td>
<td>Tauranga/Bluff Cove/Invercargill, New Zealand</td>
<td>5</td>
<td>227,500</td>
<td>$19.34 million</td>
</tr>
<tr>
<td>4</td>
<td>Ravensdown Fertiliser Co-op Ltd.</td>
<td>New Zealand</td>
<td>Napier, New Zealand</td>
<td>5</td>
<td>215,500</td>
<td>$18.32 million</td>
</tr>
<tr>
<td>5</td>
<td>Sinofert Holdings Ltd</td>
<td>China</td>
<td>Lianyungang, China</td>
<td>2</td>
<td>106,000</td>
<td>$9.01 million</td>
</tr>
<tr>
<td>6</td>
<td>Coromandel Ltd</td>
<td>India</td>
<td>Visakhapatnam, India</td>
<td>1</td>
<td>10,000</td>
<td>$850,000</td>
</tr>
</tbody>
</table>

**Some uncertainties:**

The vessel *Amoy Action* visited both Paradip (India) and Lianyungang (China) on same voyage. We have guessed that half the cargo went to Paradip, and the other half to Sinofert Holdings.

The vessel *SBI Jaguar* visited both Visakhapatnam (India) and Paradip (India) on same voyage. We estimate that 10,000 tonnes were for Coromandel Ltd and 52,000 tonnes for Paradeep Phosphates.

The vessels *Ocean Adore* and *African Sunbird* visited both Tauranga and Napier ports. Considering that Tauranga is an import port for Ballance Agri-Nutrients, and Napier is an import port for Ravensdown, this report guesses that half the cargo on the two vessels went to each of the two New Zealand co-operatives.

*Companies buying phosphate from Western Sahara are in reality supporting Morocco’s presence in the territory, since the phosphate is sold by the state-owned Moroccan company OCP and it must be assumed that the revenues generated by the operation largely flow to the Moroccan State. In its present form, OCP’s extraction of phosphate resources in Western Sahara constitutes a serious violation of norms. This is due both to the fact that the wishes and interests of the local population are not being respected and to the fact that the operation is contributing to the continuance of the unresolved international legal situation, and thus Morocco’s presence and resource exploitation in a territory over which it does not have legitimate sovereignty.*

Council of Ethics of the Norwegian government’s pension fund, upon blacklisting Innophos Holdings Inc. in January 2015.
German engineering company Siemens constructed the Foum el Oued wind park in occupied Western Sahara in 2013. The park was commissioned by Morocco’s national agency for electricity, ONEE. Siemens collaborated with the Moroccan wind energy company NAREVA – owned by the King of Morocco. Foum el Oued, consisting of 22 wind mills, today supplies 95% of Phosboucraa’s energy needs. In other words: practically all energy required for the exploitation and transport of the phosphate rock in Western Sahara, is generated by wind mills delivered by Siemens. The green energy production is thus making Morocco’s plunder of the territory even more lucrative.

ATLAS COPCO
The Swedish industrial company Atlas Copco in 2008 sold important drill rigs to OCP for use in the Bou Craa mine. Through the sales, Atlas Copco also obliged itself to provide maintenance and spare parts to the same rigs. It is not known for how many years Atlas Copco is tied to that contract. WSRW first confronted the company about its deliveries in May 2013. While the company appeared open to meet with WSRW at first, it later declined. WSRW sent Atlas Copco another letter on 27 March 2017, detailing our concerns and question. Atlas Copco sent a short reply on 10 April 2017, not answering a single question. WSRW re-sent its questions, and additional questions regarding documentation by Atlas Copco describing Western Sahara as part of Morocco, in March 2019.

CONTINENTAL
A subsidiary of German company Continental, ContiTech, plays a key role in the maintenance of OCP’s long conveyor belt carrying phosphate rock from the mine out to the sea. The company states having supplied systems allowing a throughput on the belt of “2000 metric tons per hour and a belt speed of over four meters per second”. Its contract expires on 20 June 2020, according to a letter from the company to WSRW in March 2019. WSRW first wrote a letter to the company on 29 March 2017. Continental responded that the production facility was up and running in April 2017, and that the company still receives placement orders from “ALL OCP sites, including Phosboucraa, for all types of conveyor belts”. ContiTech also stated that “The judgment of the CJEU holds that Western Sahara cannot be deemed included in certain agreements made by the EU and the Kingdom of Morocco. Our business activities are not inconsistent with such ruling. Furthermore, the respect for freedom, democracy and human rights is an essential principle. It creates the framework for our operations and is prerequisite for our success.”

The German company Siemens is providing all the energy needed at Morocco’s illegal phosphate mining operation in Western Sahara. Refugee Khadja Bedati confronted Siemens during its 2018 and 2019 Annual Meetings of shareholders, but the company did not respond to her questions.
## The nationalities behind the shipments

<table>
<thead>
<tr>
<th>Registered owner home country</th>
<th>Number of vessels</th>
<th>Volume of cargos</th>
<th>Value of cargos</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marshall Islands</td>
<td>10</td>
<td>576,000</td>
<td>48,960,000 $</td>
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<tr>
<td>Panama</td>
<td>5</td>
<td>291,000</td>
<td>24,735,000 $</td>
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<tr>
<td>Hong Kong</td>
<td>5</td>
<td>275,000</td>
<td>23,575,000 $</td>
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<td>Liberia</td>
<td>4</td>
<td>268,000</td>
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<td>Japan</td>
<td>3</td>
<td>174,000</td>
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<td>Malta</td>
<td>3</td>
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<td>Netherlands</td>
<td>2</td>
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<tr>
<td>Denmark</td>
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<td>30,260,000 $</td>
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<td>196,000</td>
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<td>South Korea</td>
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<thead>
<tr>
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<td>Japan</td>
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<td>Bermuda, Denmark, Monaco, Norway, Singapore, South Korea, Switzerland, UK, USA</td>
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<table>
<thead>
<tr>
<th>Flag</th>
<th>Number of vessels</th>
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<tbody>
<tr>
<td>Panama</td>
<td>11</td>
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<td>SKULD</td>
<td>2</td>
<td>113,000</td>
<td>9,605,000 $</td>
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The Swedish Club, The Standard Club, China Shipowners Mutual Assurance Association, Steamship Mutual and unknown | 1 each
On 1 May 2017, the bulk vessel *NM Cherry Blossom* was detained in Port Elizabeth under court order, on the application of the Saharawi Arab Democratic Republic (SADR). The vessel had only planned a brief visit in order to take on fuel for the long journey from Western Sahara to New Zealand. But a short time after it entered port, the SADR government made application to the South African High Court, claiming the 55,000-tonne cargo was illegally mined and exported from Western Sahara by the Moroccan government.

On 15 June, a three-judge large panel of the High Court in Port Elizabeth confirmed the acceptability of the order of 1 May 2017, and decided that the case was to continue to a trial. The central legal issue for the Court was the question of rights to the cargo: Who owns it, and could the New Zealand importer have acceptably purchased it after being warned over the years by Saharawi authorities?

OCP SA, Morocco’s state-owned phosphate company, bought back the cargo from Ballance, thus acting as the owner in the legal proceedings. That July, however, OCP decided to drop defending its right to the cargo, accusing the South African court of rendering “a transparently political opinion” and committing “a serious abuse of power” as such allegedly undermining “the UN resolution process”.

On 23 February 2018, the High Court confirmed that the SADR was the owner of the entire cargo aboard of the *NM Cherry Blossom*, and that the ownership was never lawfully vested in OCP SA or Phosphates de Boucraa SA, who were not entitled to sell the phosphate rock to Ballance Agri-Nutrients.

It is the first such case against the pillage of the territory’s resources. And on the ownership of the 55,000 tonnes of phosphate rock aboard the *NM Cherry Blossom*. It illustrates the increased legal and financial risk of companies taking part in Morocco’s illegal plunder. This risk had already augmented after the judgment of the Court of Justice of the EU on 21 December 2016 concluding that Western Sahara has a “separate and distinct” status to any country in the world, including Morocco.

The value of the *NM Cherry Blossom*’s cargo is around 5 million USD. It equals around ten percent of all humanitarian aid given annually to the refugee camps in Algeria, whose inhabitants are the real owner of the rock.

In 2017, while waiting for the legal case to proceed, the charterer had complained to the court about the financial loss caused to the shipping company for the delay. From what WSRW has obtained from court records, the firm Furness Withy Chartering alleges that the costs of the vessel’s detention amount to 10,300 USD every day. In other words, according to the charterer, at the time this report is published in April 2018, the vessel has been detained for nearly a year, at a cost of around 3.5 million USD. The costs related to the interruption of the sailing schedule probably comes on top of that.

The vessel was finally released in May 2018, after 370 days of detention. The charterer lost around 3.5 million USD.

The stop-over in South Africa was a one-off incident for the New Zealand-based importer Ballance Agri-Nutrients. All New Zealand-bound vessels had normally travelled west via South America and the Pacific. To WSRW’s knowledge, ships to New Zealand had never before travelled via South Africa and the Indian Ocean. After the detentions of vessels in South Africa and Panama, no vessels have transported through these routes.
The Saharawi Arab Democratic Republic (SADR) represents the people of Western Sahara in the court. SADR is not recognized as a UN member state, but is a full-fledged member of the African Union. The republic represents both the people of Western Sahara that fled after the Moroccan invasion, and those who still live under Moroccan illegal occupation. The state’s structure overlaps with that of the Frente Polisario, which the UN recognizes as the national liberation movement of the territory.

Panama court released vessel

On 17 May 2017, a maritime court in Panama ordered the detention of the vessel Ultra Innovation, carrying rock from Western Sahara to Agrum in Canada, through the Port of Vancouver. 30 hours later, a bond was placed for the release of the ship by the shipping company. On 5 June, the maritime court in Panama decided – without organising a formal hearing – that the matter could not be dealt with by that court. From what WSRW understands, the Saharawi authorities have appealed the decision and are considering the use of the country’s commercial courts for future legal actions, against both ships and shipping interest.

OCP

OCP SA is a Moroccan state-owned company, which since 1975 has operated the mine in Western Sahara through its subsidiary, Phosphates de Boucraa S.A. It is OCP that claimed to own the cargo in the South African court. Funded by the USD 200 million plunder from Western Sahara every year, OCP has contracted a large troop of global law firms and PR firms to defend its case and help manage perceptions of its operations.

The players in the South Africa court case

Vessel: NM Cherry Blossom, IMO: 9703655, Flag: Marshall Islands

Estimated cargo phosphate rock: 55,000 tonnes

Operator: AM Nomikos

Departed:
El Aaiun, Western Sahara, 13 April 2017

Detained:
Port Elizabeth, South Africa, 1 May 2017

Released: 8 May 2018

Cargo auctioned:
Court ordered an auction on the cargo, an auction that closed on 19 April 2018.
**FURNESS WITHY CHARTERING and MAERSK**

The charterer of the transport vessel to New Zealand was Furness Withy, a London/Melbourne based dry cargo ship operating and brokering company which at the time was part of German company Hamburg Sud. This entity was in turn wholly owned by the Oetker Group, known internationally for its Dr Oetker frozen pizzas. But its shipping branch has seemingly been responsible for chartering vessels from Western Sahara for many years, likely through its subsidiary in Australia, which deals in Australia-Europe bulk cargoes.  

WSRW has identified around 20 probable – but not confirmed - Furness/Oetker shipments over the last decade. Upon the arrival of the vessel Furness Karumba in Australia in 2008, representatives of The Maritime Union of Australia boarded the vessel to hand over a letter to the captain of the vessel, protesting the trade in Saharawi phosphate rock. The letter was also sent to the companies involved in the transport, as well as to the local importer.

On 14 March 2017, the Oetker Group announced an agreement to sell its subsidiary Hamburg Sud to Danish company Maersk. The Danish company’s takeover was completed on 30 November 2017. In June 2018, Maersk announced that it would discontinue the historical engagements of Hamburg Sud’s transports from Western Sahara. “The contract expires in 2018, and there are no plans for further contracts after that”, the company wrote.

**BALLANCE AGRI-NUTRIENTS**

Ballance Agri-Nutrients, a co-operative from New Zealand had purchased the cargo aboard the NM Cherry Blossom. OCP bought back the cargo – and thus acted as the owner in the legal proceedings – immediately after the vessel was detained in South Africa.

Ballance Agri-Nutrients Limited manufactures, markets and distributes fertilizers and related products in New Zealand. Ballance, and the plants that the company has acquired over the years, have been purchasers of Bou Craa phosphates for decades. The firm signed a long-term agreement with OCP in 1999, requiring OCP to supply phosphates to Ballance.

**AM NOMIKOS**

AM Nomikos Transworld Maritime was the owner and operator of the NM Cherry Blossom. WSRW contacted the company on 8 May 2017, and has yet to receive an answer. AM Nomikos was also the owner/operator of the vessel Sophiana transporting a similar cargo to Ballance in November-December 2016.
## Imports per company as percentage of total exports

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#### Total Exports

- **2012**: 1,775,000 tonnes
- **2013**: 2,200,000 tonnes
- **2014**: 2,100,000 tonnes
- **2015**: 1,410,000 tonnes

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**Diagram**

- The diagram shows the percentage of total exports for each company from 2012 to 2018.
- Each color represents a different company, with the percentage increasing as the color changes.
- The x-axis represents the years from 2012 to 2015, with the corresponding tonnes listed below each year.
A massive change has taken place in the client base since 2011.

The number of importing companies dropped from 15 in 2011 to five by the end of 2018.
“We bought the vessel Golden Keen with charter party attached early 2017 and regretfully West-Sahara was not excluded in the charter party we assumed. The vessel was time chartered out to a third party for the remainder of 2017, and therefore we were not in a position to stop the trade out of West Sahara on this particular vessel. For new charter contracts we enter into we include an exclusion of West Sahara. […] We have also included in our policy to exclude cargoes from West Sahara, expanding beyond standard contract clauses.”

Golden Ocean Management AS, in February 2018, regarding a 79,000 tonnes shipment to the USA in August 2017.37

“Being headquartered in Asia, we confess we knew nothing about Western Sahara. We have only had this one charter ... but now that we understand the issue we will not directly contract any more business out of there”

Jinhui Shipping to South China Morning Post regarding a New Zealand-bound shipment, 2008.38

“We have a separate clause excluding trade in Western Sahara”

Seven Seas Carriers, 201539

“An unfortunate mistake”

Uglands Rederi regarding a transport done by a chartering company in 201540

“We do not want our vessels to be used in Western Sahara”

Wagle Chartering, 2009, after revelation41
The bulk vessel NM Cherry Blossom (IMO 9703655) was detained in South Africa for 370 days for carrying phosphate rock from occupied Western Sahara. This was the last vessel to take the route from Western Sahara around the south tip of Africa.

The Desert Harrier (IMO 9756626) in Vancouver, Canada, on 15 December 2018, after discharging around 58,000 tonnes of phosphate in one of the last ever deliveries to Nutrien Ltd. The vessel is owned and operated by Atlantic Bulk Carriers Management Ltd in Greece, which is connected to three shipments in 2018.

Local New Zealanders protest the arrival of Triton Valk (IMO 9409077) to the city of Dunedin, New Zealand in December 2018. ‘I think the people of Dunedin would be horrified to know that a local business is funding such an injustice’, Rose Murphy, spokesperson for the association Environmental Justice Otepoti, said.
Companies involved in the trade

Six known companies and co-operatives involved in the imports of Western Sahara phosphates have been identified as takers of Western Sahara phosphate rock in 2018.

OCP SA is a Moroccan state-owned company, which since 1975 has been in operation of the mine in Western Sahara. The work is carried out through its subsidiary Phosphates de Boucraa SA.

A primarily state-owned company, it is not possible for foreign investors to buy shares in OCP.

However, OCP bonds have been offered to Moroccan investors via the Casablanca Stock Exchange since 2011, and to international investors through the Irish Stock Exchange since 2014. Several institutional investors have since blacklisted OCP from their portfolios for its involvement in Western Sahara.

OCP’s affairs at the Irish Stock Exchange are managed by Barclays, Morgan Stanley and JP Morgan, multinational financial services corporations based in the UK and USA.

The company has commissioned the firms DLA Piper, Covington & Burling, Palacio y Asociados, Edelman and Dechert LLP to advocate the supposed legality of OCP’s operations in Western Sahara. Besides carrying out lobbying-campaigns, the mentioned companies also write reports that allege the legal solidity of the Bou Craa exploitation on the grounds of being supposedly beneficial to the Saharawi people. None of these reports have been made available to Saharawis or to WSRW.
Nutrien Ltd is a Canadian fertilizer company based in Saskatoon, Saskatchewan. It is listed on the Toronto Stock Exchange and the New York Stock Exchange. Early 2018, Nutrien was formed through the merger of Agrium Inc and Potash Corporation of Saskatchewan Inc (PotashCorp). Both firms were major importers of Western Sahara phosphate rock – a legacy bestowed upon Nutrien.

PotashCorp holds the longest track record of importing from the occupied territory; upon acquiring Arcadian Corp in 1996, PotashCorp also inherited the firm’s 1980s import contract with OCP. Up until the merger, PotashCorp had been purchasing Saharawi phosphate rock for two uninterrupted decades. Agrium signed a contract with OCP in 2011, and began importing in October 2013. The phosphates, brought in to replace an exhausted source in Canada, were claimed to be originating from “Morocco”, whereas in reality, the rock came from Western Sahara.

Following years of intensive shareholder engagement, Mr. Magro, former CEO of Agrium and current CEO of Nutrien, announced on 25 January 2018 that the contract between the legacy company Agrium and OCP would be terminated by the end of the year. In its 2nd quarter report of 2018, the firm declared its intent to close the factory controlled by the legacy company PotashCorp. “Nutrien decided to close its small phosphate facility at Geismar, Louisiana, by the end of 2018 and will no longer require offshore phosphate rock imports starting in 2019.” In 2018, Nutrien lost a number of shareholders over the matter, including the Norwegian Government Pension fund, which divested Nutrien shares worth 190 million USD.

Nutrien’s 2018 imports of Saharawi phosphate rock thus remained at the same level as in 2017, when its legacy firms had a combined import of 911,840 tonnes. In 2018, Nutrien imported 12 shipments of Saharawi phosphate rock to Vancouver, Canada, and another 3 shipments to its facility in Geismar, USA. The cargoes have an estimated total volume of 900,000 tonnes, valued at USD 76.5 million.

WSRW sent a letter to Nutrien on 22 January 2019, to inquire about the firm’s imports during 2018 and about Nutrien’s ownership in Sinofert Holdings – the Chinese fertilizer producer and distributor in which Nutrien has a 22% interest. No reply had been received at the time of this report’s publication. It is not known how Nutrien will address the issue of Western Sahara imports with Sinofert.

The bulk vessel Ultra Integrity is here seen departing Vancouver harbour after having delivered a cargo of 59,000 tonnes of phosphates from the occupied territory in August 2018.
Paradeep Phosphates Limited (PPL) produces, markets and distributes phosphate-based fertilizers and by-products for agricultural use. The company was established in 1981 as a joint venture of the government of India and the Republic of Nauru. In 1993, the government of India took complete ownership of the company. Due to significant losses near the end of the nineties, the government of India decided to divest 74% in February 2002. That stake was bought by Zuari Maroc Phosphates Ltd, a 50-50 joint venture of Zuari Industries Ltd (a subsidiary of Adventz Group of India) and Maroc Phosphore SA – a wholly owned subsidiary of OCP. Today, PPL operates as a subsidiary of Zuari Global Limited, which holds 80.45% stake, while the government of India holds the remaining 19.55%. In other words, PPL is owned by the Government of Morocco, an Indian private conglomerate (Adventz Group) and the Government of India.

PPL is headquartered in Bhubaneswar, India and receives its phosphate rock at the port city of Paradip, approximately 120 kilometers to the east.

According to WSRW’s research, PPL received nine shipments of phosphate rock from occupied Western Sahara throughout 2018, totaling approximately 469,000 tonnes worth an estimated USD 39.9 million. The imported volume has thus increased significantly - 42% - in comparison to 2017 and 2016, with 330,000 tonnes and 344,000 tonnes respectively.

2018 is the third year of regular imports by PPL, though the firm has imported from occupied Western Sahara before. WSRW has traced a previous purchase from Phosboucraa during the financial year 2011-2012.

WSRW wrote to PPL in February 2015, in March 2017, in February 2018 and in March 2019. The company has never replied.
Ravensdown Fertiliser Co-operative Limited is a producer of agricultural fertilizers that operates as a farmer-owned cooperative and is not listed on any stock exchange. The company imports to its plants in Lyttelton, Napier, and Otago, New Zealand. WSRW tracked five shipments to Ravensdown during 2018 – two of which were shared with Ballance Agri-Nutrients. The cargoes are estimated at 215,500 tonnes with a net value of around USD 18.3 million. That is the highest annual import volume in years, and twice the amount of 2017 when the company had imported 110,000 tonnes. In 2016, Ravensdown had taken in around 188,000 tonnes, corresponding to its pre-2014 import volumes that averaged around 180,000 tonnes a year. Its import level of 2014-15 were around 100,000 tonnes annually. WSRW asked the company about the trade on 14 March 2019, but received no answer.

Ravensdown reportedly refuses to back down on purchasing Western Sahara phosphate rock, saying phosphate “drives prosperity and social wellbeing in a wide variety of Kiwi communities.” The company stated to media in 2018 that the conflict in Western Sahara is “well-known and debated at the United Nations Security Council, and to be honest, that’s the only place where a solution can come.” It stated that “what prolongs the dispute is that both sides have failed to get into a room to negotiate a settlement.”

Ballance Agri-Nutrients Limited manufactures, markets and distributes fertilizers and related products in New Zealand. The company has manufacturing plants in Whangarei, Invercargill, and Mount Maunganui, New Zealand. It is a farmer-owned cooperative, and not registered on any stock exchange. The Ballance factories have been using Western Sahara rock since the 1980s. The firm signed a long-term supply agreement with OCP in 1999. Ballance executives have on at least one occasion visited the Bou Craa mine in the occupied territory.

During the course of 2018, Ballance received five shipments of phosphate rock illegally excavated in occupied Western Sahara. Two of those shipments appear to have been shared with Ravensdown. The cargoes have an observed, combined volume of 227,500 tonnes were worth about USD 19.3 million. The 2018 imports are thus on par with the 223,000 tonnes of 2017, which represented the firm’s highest annual import volume from the occupied territory in years. Ballance’s 2016 imports of 161,000 tonnes were consistent with the firm’s imports of 2012 through 2014, with a decrease to 104,000 tonnes in 2015.

WSRW has annually contacted Ballance from 2015 but has not received an answer to its questions. In 2014, Ballance did write to WSRW that “The United Nations does not prohibit trade in resources from Western Sahara. Nor does such trade contravene a United Nations legal opinion.” The company stated to media in 2018 that the conflict in Western Sahara is “well-known and debated at the United Nations Security Council, and to be honest, that’s the only place where a solution can come.” It stated that “what prolongs the dispute is that both sides have failed to get into a room to negotiate a settlement.”
On 12 December 2018, a vessel carrying around 60,000 tonnes of Western Sahara phosphates departed El Aaiun. It arrived at the port of Visakhapatnam, India, in the afternoon of 16 January 2019. From what WSRW has been able to establish, the importer is Coromandel International Limited. The vessel only spent 36 hours in port, and WSRW believes that only a smaller part - perhaps around 10,000 tonnes - of the vessel’s cargo was destined for Coromandel. After completing its mission, SBI Jaguar departed the harbour of Visakhapatnam in the early morning of 18 January, heading further north along the Indian coast to Paradip, where it discharges the remainder of the cargo, destined for the Paradip-based company PPL that has already been involved in the controversial trade for its third consecutive year.

Coromandel is, according to its own 2018 annual report, the second biggest phosphatic fertiliser player in India. The company is registered on the National Stock Exchange of India and has several large international investors among its owners. WSRW sent a letter to Coromandel on 18 January 2019 to ask whether it had fulfilled the legal requirement of obtaining prior consent from the representatives of the territory for such trade, and whether this was a one-off import. No reply was received.

Sinofert Holdings Limited is the largest fertilizer producer and distributor in China. The Chinese government-owned Sinochem Group holds a 53% interest in Sinofert, while Nutrien Ltd holds 22%, and the remainder is listed on the Hong Kong Stock Exchange. The company is headquartered in Hong Kong.

WSRW has not monitored any exports of phosphate rock from occupied Western Sahara to Sinofert before. The probable first ever shipment to Sinofert departed El Aaiun on 19 October 2018 aboard the bulk carrier Trade Resource, carrying an estimated 79,000 tonnes of rock worth approximately USD 6.7 million. The vessel arrived in the port of Lianyungang, China on 28 November 2018.

One other shipment in 2018 is possibly also connected to Sinofert. On 13 November, the bulk carrier Amoy Action left the port of Paradip, India, and set sail for Lianyungang. The vessel’s cargo may have consisted of a partial cargo of unprocessed rock from rock from Western Sahara that were never offloaded, or of phosphate derivatives (perhaps originating from Paradip’s earlier Western Sahara imports) processed in Paradip for use by Sinofert and loaded onto the ship in Paradip port. WSRW submits half of the Amoy Action’s cargo of Saharawi phosphate rock, thus 27,000 tonnes valued at USD 2.3 million, was destined for Sinofert.

WSRW has written a letter to Sinofert on 22 January 2019, questioning their new involvement in the controversial trade. The company has not responded.
Companies under observation

Some companies have in the past been identified and named as importers. The following companies have not been involved in the trade during recent years, but WSRW sees a risk that they would resume purchases.
Incitec Pivot Ltd, also referred to as IPL, is an Australian multinational corporation that engages in the manufacturing, trading and distribution of fertilizers. The company’s fertilizer segment includes Incitec Pivot Fertilisers (IPF), Southern Cross International (SCI) and Fertilizers Elimination (Elim).

Incitec Pivot has been importing from Western Sahara for the past 30 years. Since 2003, when Incitec Pivot arose out of a merger between Incitec Fertilizers and Pivot Limited, the company has been importing continuously.

Incitec Pivot has its headquarters in Melbourne, Victoria, Australia, and is registered on the Australian Securities Exchange. Today, Incitec Pivot is the largest supplier of fertilizer products in Australia, but also markets its products abroad, such as in India, Pakistan and Latin America. IPL manufactures a range of fertilizer products, but uses the Saharawi phosphate for its so-called superphosphate products produced at plants in Geelong and Portland.

The last shipments observed to Incitec Pivot were all in 2016, when the firm procured three consignments of phosphate rock from Western Sahara, totalling 105,000 tonnes, worth an estimated US $12.1 million. That was a substantial increase from its 2015 imports of 63,000 tonnes of Saharawi phosphate, as confirmed by the company.

Incitec Pivot told the Australian Western Sahara Association in December 2017 that there had been no imports since December 2016, as it now sources its phosphate rock in Togo. WSRW found there were no shipments to the company in 2017 and again in 2018.

WSRW last wrote IPL on 6 March 2018, without reply.

*Ithaki spotted off Las Palmas harbour on 20 May 2015, shortly after departure from El Aaiun harbour*
Lifosa AB is a producer of phosphate mineral fertilizer based in Kedainiai, Lithuania. The company was previously listed on the NASDAQ QMX Vilnius Exchange. Lifosa AB became a subsidiary of the privately Russian-owned Swiss based EuroChem Group in 2002. The company receives its Western Sahara phosphate rock at the harbor of Klaipeda, Lithuania.

The company took in its last shipment on 8 October 2016, in spite of a promise by Eurochem in February that same year that “… the Group does not intend to purchase phosphate rock from Western Sahara in 2016 or at any time over the foreseeable future.” The cargo was destined for Lifosa, as Lifosa’s managing director admitted to Lithuanian media. EuroChem confirmed to WSRW on 23 March 2017 that its subsidiary had indeed imported 68,250 tonnes on board the SBI Flamenco.

“EuroChem believes in vertical integration for economic and strategic reasons and this remains the case. We aspire toward the goal of raw material self-sufficiency and our investments in Kazakhstan and Kovdorsky were intended to help us become self-sufficient in the production of phosphate rock. The production of our own raw materials from these two investments has progressed at a slower pace than projected and so we continue to require third-party supplies of phosphate rock”, the company wrote.

WSRW has been in dialogue with both Lifosa and its owners EuroChem Group since 2010. But the company’s initial reluctance to thoroughly respond to WSRW’s questions resulted in its June 2011 delisting from the UN List of Socially Responsible Corporations.

Ever since, Lifosa/EuroChem has actively sought ways to maintain its dialogue with WSRW and conduct further due diligence with regard to importing from Western Sahara while under occupation. The company stated in March 2014 that it was seeking to implement ways to diversify external purchases. In 2013-2014, the trade was around 400,000 tonnes annually.

WSRW has not observed any shipments to Lifosa in 2017. WSRW last wrote to EuroChem in March 2018 to seek confirmation that the company has now stopped all further imports from Western Sahara. The company responded that it has ‘no plans’ to purchase from Western Sahara again.
A Mexican subsidiary of the US registered company Innophos Holdings has for many years been a key importer of Western Sahara phosphate rock. Yet since 2015, WSRW has not observed any shipment into Innophos’s plant in Coatzalcoalcos, Mexico. In 2016, Innophos confirmed that its plant in Geismar, Louisiana was dependent on phosphate rock from Western Sahara, sold to them via a pipeline from the neighbouring plant of PotashCorp.

“As part of Innophos’ commitment to overall social responsibility and good corporate stewardship, Innophos will no longer indirectly participate in a raw material supply chain which sources phosphate rock from the Western Sahara region in Africa, an area from which the Company has not directly purchased raw materials for more than three years”, Innophos Holdings wrote in a press release on 2 July 2018.95

WSRW has no indications that Innophos today uses phosphate rock originating from Western Sahara.

From 2010 to 2018, WSRW sent Innophos six letters about the company’s purchases from the occupied territory, without receiving a reply.96 Innophos has been the subject of multiple divestments. A lengthy analysis for the ethical exclusion of the firm was prepared by the Council on Ethics of the Norwegian Government Pension Fund in 2015.97 For the same reason, the company has also been kicked out of the portfolios of the Luxembourg Pension Fund and Danske Bank, among others.98

Innophos Holdings has now both stopped importing phosphates into Mexico and stopped the purchase of products from Nutrien in Baton Rouge, USA. Shown above is the vessel Coral Queen in 2013 en route to transport a shipment at a time when Innophos imported directly into Mexico.
The Colombian Company Monomeros Colombo Venezolanos S.A. is a petrochemical company that produces fertilizers, calcium phosphate and industrial chemicals. The company has its corporate seat in Barranquilla, Colombia, near the city’s port where it receives its Western Saharan phosphate cargoes. Monomeros operates as a non-listed, public limited company.

Since 2006, the company has been a fully owned subsidiary of the Venezuelan state owned petrochemical company Pequiven (Petroquímica de Venezuela SA).

Monomeros received a single shipment of phosphate from occupied Western Sahara in calendar year 2017, totaling approximately 17,000 tonnes, worth about US $1.5 million. The imports have thus reduced dramatically: in 2016, Monomeros imported 58,000 tonnes. In 2018, there were none.

WSRW has raised the matter with both Monomeros and its parent company Pequiven on several occasions. Our most recent letter was sent to the Government of Venezuela on 8 March 2018. So far, neither Monomeros nor Pequiven nor the Venezuelan Government have replied to any of our letters.

The Venezuelan government has traditionally been involved in the trade in two different ways: through imports to subsidiaries in both Colombia (Monomeros) and Venezuela. The imports to the two companies have been importing from the occupied territory for decades.

However, no shipments to Colombia and Venezuela have been observed following the detentions of the two vessels in South Africa and Panama in May 2017. The importing companies and the Venezuelan government have never responded to requests from WSRW, with a singular exception by Tripoliven, which in 2013 denied importing from Western Sahara, which later proved to be incorrect.

For more about the imports to Puerto Cabello, Venezuela, please refer to P for Plunder 2016.
Bulgarian fertilizer producer Agropolychim AD is located near Varna port. The company has Bulgarian and Belgian owners. WSRW registered the last shipment of Western Sahara phosphate rock to Varna in 2011. WSRW has confirmed shipments specifically to Agropolychim from 2003 to 2008. WSRW contacted Agropolychim in October 2008, urging the company to terminate its phosphate imports. A reply was never received, but the company did defend its imports in Bulgarian media. “Agropolychim has a contract for the import of phosphate from North Africa since 1974 and never had problems with supply”, the company stated.

Indian importers

In March 2014, WSRW observed a single shipment to India, unloaded at Tuticorin harbor. This followed the trend from previous years of one annual shipment, arriving at Tuticorin. WSRW has not yet been able to identify the responsible company, but has identified two potential recipients. One is Greenstar Fertilizers Ltd, a fertilizer manufacturer and marketer, which produces its fertilizers in Tamil Nadu, taking in its material in Tuticorin. The other is Southern Petrochemical Industries Corporation Ltd (SPIC), a petrochemical company that has fertilizer production as its core competency. SPIC has its headquarters in Chennai and is registered on the Bombay Stock Exchange and on the National Stock Exchange of India. The firm’s phosphate business is located in Tuticorin. WSRW contacted both, they did not answer.
Companies no longer involved

Some companies have in the past been identified and named as importers. These have not been involved in the trade since 2012, and WSRW sees little risk that they would resume purchases.
Impact Fertilisers Pty Ltd (Australia/Switzerland)

Impact Fertilisers in Tasmania has not imported since the arrival of Alycia in Hobart harbour on 7 August 2012.

Nidera Uruguaya S.A. (Uruguay/The Netherlands)

The Uruguayan company Nidera Uruguaya S.A., subsidiary of Dutch trading company Nidera NV, received one vessel containing phosphate rock from Western Sahara in 2009. WSRW confronted Nidera Uruguaya with the information about the 2009 vessel in a letter 21 June 2010. As no answer was received, new letters were sent to the parent company in The Netherlands in October 2011. The outcome of the following correspondence with Nidera was a statement from the company underlining that “If our subsidiary in Uruguay again needs to import phosphate rock in the future, the matter which is now brought to our attention is something we shall definitively take into consideration”. The company at the time also stated that its subsidiary in Uruguay had not received any phosphate rock from Western Sahara during the years 2007, 2008, 2010, 2011.

Australian phosphate importer Impact Fertilisers imported phosphates from Western Sahara, at least from 2002 to 2013. The company imported the rock to Hobart, Tasmania. In 2010 the company became part of Ameropa, a Swiss privately owned grain and fertilizer trading company. Western Sahara groups in both Australia and Switzerland worked on highlighting the company for many years.

In 2013 Impact announced it had halted the imports from Western Sahara. WSRW has not observed shipments to Impact since August 2012.
Yara’s last imports took place in 2008, on this vessel. Here the vessel is on its way to dock in Herøya, Norway to offload.

Yara International ASA (Norway)

Yara is the world’s leading supplier of mineral fertilizers. It used to be a large importer of phosphates from Western Sahara in the past, but has since decided to cease doing so. The main motive for the decision to stop purchasing has been that the Norwegian government urges Norwegian companies not to trade with goods from Western Sahara, due to concerns of international law. The company has today as a policy only to import or trade with phosphates from Morocco proper, not from the Bou Craa mines.

“We hope the country will be liberated, then the population there will profit from us quickly receiving their phosphates”, Chief Communication Officer, Bente Slaatten told.
Mosaic Company is headquartered in Minnesota, USA, and listed on the New York Stock Exchange. WSRW confirmed 15 shipments from occupied Western Sahara to Tampa, Florida, USA in the period from 2001 to 2009. Tampa is home to the headquarters of Mosaic’s phosphate operations and many of the firm’s phosphate production facilities.

On 25 August 2010, Mosaic informed WSRW that it had received its last shipment of Western Sahara phosphate rock on 29 January 2009 and that it “has no plans” to import from the territory again.109 Mosaic confirmed to the Swedish investor and shareholder Nordea that it had halted imports. “Mosaic has now disclosed that they have discontinued their purchase of phosphate from Western Sahara, which also has been independently confirmed. The company has acknowledged the human rights issues involved with importing phosphate from Western Sahara”, Nordea wrote.110

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BASF was one of the leading importers through the 1990s. It received its last known shipment to Belgium in 2008.112 BASF’s sustainability centre was confident such import did not violate international law, but confirmed to WSRW that it would not expect more imports. “A part of BASF’s phosphate demand is covered by Moroccan phosphate delivered by Office Chérifien des Phosphates (OCP). OCP has been a reliable supplier of phosphate from mines in the Kingdom of Morocco for over 20 years. In spring 2008, OCP contacted us because of a supply shortage at the Moroccan mine from which BASF usually receives the phosphate. OCP offered a temporary replacement order with phosphate in an alternative quality from a different mine operated by OCP in the Western Sahara region, which we accepted. For the time being, this was an isolated replacement delivery from this territory which we do not expect to be repeated in the future.”113

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BASF is not known to have imported since the arrival of the bulk vessel Novigrad on 7 October 2008, here seen discharging Saharawi phosphate in Ghent harbour, Belgium.

Wesfarmers Limited is one of Australia’s largest public companies, headquartered in Perth, Western Australia. The company is listed on the Australian Securities Exchange. Its fertiliser subsidiary, Wesfarmers CSBP, was a major importer from occupied Western Sahara for at least two decades. Earliest known imports of Saharawi phosphates by CSBP date back to 1990.

In 2009, the firm announced it would “reduce the company’s dependency on phosphate rock from Western Sahara”. The company said it would invest in new technology that would make it possible to use other phosphate sources. CSBP did, however, leave open the possibility that the imports could continue, albeit to a limited degree, depending on price and availability of alternative sources.111 This decision followed a wave of European divestments over ethical concerns on trade in phosphate from occupied Western Sahara. Wesfarmers used to import between 60 and 70% of its phosphates from Western Sahara.

Wesfarmers has on numerous occasions since shown a will to phase down imports from Western Sahara, but has not committed categorically to completely stop imports. As the de facto imports seem to have stopped, some investors have returned to the company.

WSRW has not observed any shipments to Wesfarmers since it started daily monitoring of vessels in October 2011.

Three companies that have previously been on WSRW’s observation list were in 2016 moved over to the list of companies longer involved. The reason for this is that such a long time has passed since a shipment took place that we expect them not to be engaged again. These are Petrokemi-ija PLC from Croatia, Tata Chemicals from India. Zen Noh from Japan. The last time WSRW saw shipments to any of these companies was in 2006. None of these companies have responded to requests from WSRW.
In defense of their phosphate imports from Western Sahara, several companies have referred to legal opinions by different law firms retained by OCP.

These legal opinions are systematically used by the international phosphate importers to legitimize their imports vis-à-vis shareholders. The confidential analyses are said to establish that the local people benefit from the industry. However, the local people – the owners of the phosphates – are themselves not allowed to see the opinions, and are thus unable to assess their veracity. All aspects related to Terms of Reference, methodology or findings are thus impossible for the Saharawis to question.

As the opinions allegedly have found Morocco’s exploitation of the Saharawi people’s resources lawful, WSRW believes that there is little reason to withhold them from the Saharawis.

Four international lobbying law firms are behind such undisclosed opinions.

Covington & Burling LLP is an international law firm with offices in Europe, USA and China, which advises multinational corporations. Among its clients is OCP.

Both the Belgian importer BASF and the Spanish importer FMC Foret referred to Covington & Burling’s legal opinion made for OCP, but neither wished to disclose the report. BASF at the time (November 2008) urged WSRW to contact Covington & Burling for further questions. WSRW had contacted the firm in February 2008, but received no reply. When phoning the company to ask for a meeting, Covington & Burling replied that they “would not engage with you at all regarding anything at all. You’re not my client, and as far as I can see you have no interest or stake in our company.”

It should be noted that Covington & Burling will travel around the world to defend the unethical trade to shareholders looking into divesting from any of the companies that import phosphate from Western Sahara.

More recently, the law firm DLA Piper teamed up with the firm Palacio y Asociados to provide OCP with another legal opinion to justify the trade. Based on statements from the importing companies, this second opinion seems to follow the analysis of the Covington & Burling opinion, citing potential benefits to the “local population” as a validation for the exploitation and subsequent trade to take place. As part of the work on the legal opinion, DLA Piper had also commissioned KPMG, a professional service company, to study the economic and social impacts of OCP’s operations, and their sustainability. “in the region.”

DLA Piper is an international law firm that has offices in around 30 countries throughout the Americas, Asia Pacific, Europe and the Middle East. Palacio y Asociados is headed by Spain’s former Minister of Foreign Affairs and former MEP Ana Palacio, and has offices in Madrid, Brussels and Washington.

WSRW contacted both firms with the request to share their legal opinion with the Saharawi people. DLA Piper replied that they could not share the opinion that “was written for the benefit of Phosphates de Bourcraa S.A., and its holding company, Office Chérifien des Phosphates S.A.” due to legal privilege. Ana Palacio, head of Palacio y Asociados, wrote back to express her disagreement with WSRW’s analysis and also cited legal privilege.

In November 2015, PotashCorp named the firm Dechert LLP and Palacio y Asociados as co-authors of a legal opinion. Dechert LLP is an international law firm, headquartered in Philadelphia, USA, with offices in 14 countries.

Up until August 2014, PotashCorp had named DLA Piper as the partner of Palacio y Asociados. It is not clear whether the Dechert-Palacio opinion is different from the DLA Piper-Palacio opinion. The missing link between the two could be Myriam González Durántez, wife of Britain’s former Deputy Prime Minister Nick Clegg, who represented OCP when working at DLA Piper, but who is said to have taken the OCP contract with her when she moved to Dechert. OCP has reportedly paid an estimated US $1.5 million for work carried out by both Dechert and DLA Piper.

Dechert replied to WSRW’s letter of 8 February 2016 that it could not disclose its legal opinion for OCP due to client confidentiality.

WSRW has asked Dechert and Palacio y Asociados whether their client would consent to waiving privilege, as the confidentiality of the legal opinions has already been given up by making their existence public. WSRW never received a reply to that request.

OCP has failed to answer requests from Saharawis to share copies of the reports.

The Bou Craa reserves are a gigantic, opencast mine, where the phosphate rock is scraped from the surface by excavation machines.
Morocco lobbies for more toxics in EU farmlands

One of OCP’s law firms, Dechert LLP, has been instructed to lobby the EU institutions against the European Commission’s proposed cadmium regulation. Based on several risk assessments, the EU Commission wanted to limit the EU population’s exposure to this heavy metal due to its adverse health effects, particularly in terms of causing several types of cancer. In 2016, the Commission proposed a regulation for fertilizers made from phosphate rock, foreseeing in the stepwise reduction of cadmium content to 20 mg/kg over a 12 year timeframe. Phosphate fertilizers are responsible for 60% of current cadmium deposits to crops and soil within the EU, as documented in a February 2017 study by the European Parliament’s Policy Department. In December 2018, the EU Commission announced that the EU had reached a provisional deal capping the cadmium limit in fertilizers at 60 mg. When approved by the European Parliament and Council, the agreement will be immediately applicable in all EU Member States and will become mandatory by 2022. Four years after implementation, the cadmium limit will be further reviewed. The provisional agreement thus sets forth a less strict limit than what was envisioned by both the European Commission, and by the European Parliament, which is in October 2017 issued support for the Commission’s initial proposal, though proposing a longer phasing-out period.

The phosphate rock managed by OCP – thus including the Western Sahara rock – is said to contain on average between 29.5 to 72.7 mg/kg. The European Parliament’s Policy Department paints an even bleaker picture, citing levels of 38-200 mg Cd/kg P2O5. OCP has a sales figure of 32% in Europe. Since the initially proposed regulation would have resulted in the nullification of that sales figure over time, OCP has unleashed an intense counter-lobby. OCP argues that there is not enough scientific proof to underpin the idea of limiting cadmium levels, and suggests the EU to even raise cadmium levels to 80 mg/kg, far higher than the suggestion from the EU Commission. On 11 May 2016, OCP sent a letter to the Commission, stating it disagreed with the proposal. OCP also lamented that “major fertilizer producers […] had not been consulted.” The irony is that OCP itself refuses to seek the consent from the people of Western Sahara upon plundering the territory’s phosphate rock.

Retained to work alongside Dechert, is the PR firm Edelman. Edelman has worked for the Moroccan government in the past, as it is on the payroll of the Moroccan American Center for Policy (MACP), a registered agent of the Moroccan Kingdom.

A 100 kilometer long conveyor belt carries phosphates from the Bou Craa mine to the coat. The rubber belt is maintained by the German company Continental AG. Its maintenance agreement expires on 20 June 2020.
Recommendations

To the Government of Morocco:
- To respect international law and immediately terminate the production and exports of phosphates from occupied Western Sahara until a solution to the conflict has been found.
- To respect the right to self-determination of the people of Western Sahara, through cooperating with the UN for a referendum for the people of the territory.
- To compensate the Saharawi people for the benefits it has accrued from the sales of phosphate rock from the illegally occupied territory.

To the four purchasers of phosphates from Bou Craa mine:
- To immediately end all purchasing of phosphate illegally exported from occupied Western Sahara.

To the governments of China, India and New Zealand:
- To clearly state to the involved important companies that they should refrain from purchasing from Western Sahara, and to assist these businesses in diversifying their supply base.

To investors:
- To engage with the mentioned companies, and divest unless action is taken to halt the purchase.

To Covington & Burling, Dechert, DLA Piper, KPMG, Edelman and Palacio y Asociados:
- To publish all reports written for OCP which aim to justify OCP’s activities in occupied Western Sahara and the illegal export trade in Saharawi phosphate.
- To refrain from defending Morocco’s plunder of the territory by stopping the undertaking of assignments to legitimize its continuation.

To the European Union:
- To assess trade in products originating in Western Sahara and adopt policies that ensure that such trade is consistent with the Court of Justice of the EU judgment of 21 December 2016 and with States’ duty under international law not to recognize Morocco’s sovereignty over occupied Western Sahara.
- To develop business advisory guidelines warning of the legal and reputational risks of doing business with Moroccan interests in the territory.
- To ensure European companies adhere to the principles established in the Court of Justice of the EU judgment of 21 December 2016, assuring that EU companies do not purchase phosphates from Western Sahara.

To the United Nations:
- To create a UN administration to oversee or otherwise administer Western Sahara’s natural resources and revenues from such resources pending the self-determination of the Saharawi people.

Notes

3. OCP SA, Prospectus of 20 April, p. 91. Available via https://www.wsrw.org/151x4493
4. Ibid. p. 89.
5. Ibid. p. 98.
6. Ibid. p. 91.
7. Ibid. p. 123.
9. OCP SA, Prospectus of 20 April, p. 33.
10. WSRW.org, 25.11.2014, Morocco admits to using Saharawi resources for political gain. http://www.wsrw.org/al05x3070
Charterer: A company that reaches an agreement with the manager or owner/manager of a ship for the use of that ship.

Deadweight (DWT): the weight (in metric tonnes) that the ship can carry. 90-97% of this is the actual cargo capacity. The remaining is accounted for by bunker fuel, stores, water etc.

Flag: A ship flies the flag of the country in which the ship is registered, which is often not the country in which the managing or owning companies are based. Many ships owned and managed by companies based in Western countries are registered in countries which have an ‘open registry’. The ships are then said to fly ‘flags of convenience’. There is no genuine link between these vessels and the flag of registry. The majority of the vessels in this report is flying such flags.

Manager: the company that manages the ship, technically and/or commercially. The manager may be different from the owner, although certain owners do manage their own ships.

Registered owner: the company which is at least the nominal owner of the ship. The problem is that a ship often has a registered owner whose total assets consist only of the ship in question. The company may well be owned by another company which also owns a number of other ‘single-ship companies’. That company may in turn be owned by yet another company. The name and address of the company which is the registered owner of the ship are easily available. However, it is far more difficult to get to know details of the ‘beneficial owner’, i.e. the company which is at the end of a chain of owners.

P&I Club: Protection and indemnity insurance, more commonly known as “P&I” insurance, is a form of mutual maritime insurance provided by a P&I Club. A P&I Club provides cover for open-ended risks that traditional insurers are reluctant to insure. Typical P&I cover includes: a carrier’s third-party risks for damage caused to cargo during carriage, war risks, and risks of environmental damage such as oil spills and pollution.
<table>
<thead>
<tr>
<th>№</th>
<th>Vessel Name</th>
<th>Flag</th>
<th>Departure from Western Sahara</th>
<th>Destination (Importer)</th>
<th>Arrival</th>
<th>Vessel Details</th>
<th>Estimated car (tonnes)</th>
<th>Reg. owner address</th>
<th>Reg. owner nationality of registration</th>
<th>Operator</th>
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<tr>
<td>1</td>
<td>An Ning</td>
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<td>Paradip, India (Paradeep Phosphates Ltd)</td>
<td>Paradip, India</td>
<td>14/02/2018</td>
<td>IMO # 9407859 MMSI 47792700 55,256 DWT</td>
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<td>Glory Land Shipping Ltd</td>
<td>Care of COSCO (HK) Shipping Co Ltd, 33rd Floor, Tower 2, Kowloon Commerce Centre, 51, Kwai Cheong Road, Kwai Chung, New Territories, Hong Kong, China</td>
<td>Hong Kong</td>
<td>China COSCO Shipping Corp Ltd (China Cosco Shipping Group) [COSCO Shipping] [COSCOCS]</td>
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<td>22/03/2018</td>
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<td>56000</td>
<td>Hinode Kaiun Co Ltd, Mansei Kaiun Co Ltd &amp; Sunmarine Maritime SA</td>
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<td>Panama</td>
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<td>MIF I No 12 K/S</td>
<td>Strandvejen 70, Hellerup, Denmark</td>
<td>Denmark</td>
<td>Navegrap Capital Partners A/S</td>
</tr>
<tr>
<td>9</td>
<td>Doric Victory</td>
<td>Greece</td>
<td>Tauranga, New Zealand (Ballance Agri-Nutrients Ltd)</td>
<td>Tauranga, New Zealand</td>
<td>29/06/2018</td>
<td>IMO # 9425887 MMSI 24103000 58,091 DWT</td>
<td>56000</td>
<td>Ocean Harmony Navigation Inc</td>
<td>Care of Chios Navigation (Hellas) Ltd, 1-3, Fililinon Street, 185.36 Piraeus, Athens, Greece</td>
<td>Liberia</td>
<td>Chios Navigation (Hellas) Ltd</td>
</tr>
</tbody>
</table>
The shipping companies behind the controversial phosphate transports, 1 January 2018 to 31 December 2018

<table>
<thead>
<tr>
<th>Group owner - registered nationality</th>
<th>Group owner - nationality of controlling interest</th>
<th>Operator</th>
<th>Operator address</th>
<th>Operator - nationality of control</th>
<th>Operator - nationality of registration</th>
<th>Operator email</th>
<th>Operator website</th>
<th>P&amp;I Club</th>
</tr>
</thead>
<tbody>
<tr>
<td>China</td>
<td>China</td>
<td>COSCO (HK) Shipping Co Ltd</td>
<td>33rd Floor, Tower 2, Kowloon Commerce Centre, 51, Kwai Cheong Road, Kwai Chung, New Territories, Hong Kong, China</td>
<td>China</td>
<td>Hong Kong</td>
<td><a href="mailto:hkop@coscochs.com.hk">hkop@coscochs.com.hk</a>, <a href="mailto:xuchao@coscochs.com">xuchao@coscochs.com</a></td>
<td><a href="http://www.coscochs.com.hk">www.coscochs.com.hk</a></td>
<td>UK P&amp;I Club</td>
</tr>
<tr>
<td>Japan</td>
<td>Japan</td>
<td>Hinode Kaun KK</td>
<td>27-1, Higashi I-chome, Kawajiri-cho, Kure-shi, Hiroshima-ken, 737-2607, Japan</td>
<td>Japan</td>
<td>Japan</td>
<td><a href="mailto:enquiries@murship.com">enquiries@murship.com</a></td>
<td><a href="http://www.murship.com">www.murship.com</a></td>
<td>Japan Ship Owners Mutual P&amp;I</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Netherlands</td>
<td>Triton Navigation BV</td>
<td>Strawinskylaan 901, 1077 XX Amsterdam, Netherlands</td>
<td>Netherlands</td>
<td>Netherlands</td>
<td></td>
<td></td>
<td>The West of England Ship Owners Mutual Insurance Association</td>
</tr>
<tr>
<td>Japan</td>
<td>Japan</td>
<td>MUR Shipping BV</td>
<td>Tower H, World Trade Center Amsterdam, Zuidplein 164, 1077 XV Amsterdam, Netherlands</td>
<td>Netherlands</td>
<td>Netherlands</td>
<td><a href="mailto:enquiries@murship.com">enquiries@murship.com</a></td>
<td><a href="http://www.murship.com">www.murship.com</a></td>
<td>Japan Ship Owners Mutual P&amp;I</td>
</tr>
<tr>
<td>unknown</td>
<td>unknown</td>
<td>Ultrabulk A/S [Ultrabulk MPP]</td>
<td>Smakkedalen 6, 2820 Gentofte, O, Denmark</td>
<td>Chile</td>
<td>Denmark</td>
<td><a href="mailto:smax.cph@ultrabulk.com">smax.cph@ultrabulk.com</a></td>
<td><a href="http://www.ultrabulk.com">www.ultrabulk.com</a></td>
<td>Japan Ship Owners Mutual P&amp;I</td>
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<tr>
<td>Turkey</td>
<td>Turkey</td>
<td>GSD Denizcilik Gayrimenkul Insaat Sanayi ve Ticaret AS</td>
<td>Kaptan Rifat Sokak 3, Aydinevler Mah, Maltepe, 34854 Istanbul, Turkey</td>
<td>Turkey</td>
<td>Turkey</td>
<td><a href="http://www.gsdmarin.com.tr">www.gsdmarin.com.tr</a></td>
<td></td>
<td>GARD AS</td>
</tr>
<tr>
<td>China</td>
<td>China</td>
<td>COSCO Shipping Seafarer Management Co Ltd</td>
<td>Room A-1309, 188, Yesheng Lu, Pilot Free Trade Zone, Pudong Xinqu, Shanghai, 200020, China</td>
<td>China</td>
<td>China</td>
<td><a href="mailto:wdg@cnshipping.com">wdg@cnshipping.com</a></td>
<td><a href="http://www.csisc.com.cn">www.csisc.com.cn</a></td>
<td>The Swedish Club</td>
</tr>
<tr>
<td>Denmark</td>
<td>Denmark</td>
<td>Ultrabulk A/S [Ultrabulk MPP]</td>
<td>Smakkedalen 6, 2820 Gentofte, O, Denmark</td>
<td>Chile</td>
<td>Denmark</td>
<td><a href="mailto:smax.cph@ultrabulk.com">smax.cph@ultrabulk.com</a></td>
<td><a href="http://www.ultrabulk.com">www.ultrabulk.com</a></td>
<td>North of England P&amp;I Assoc</td>
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<td>Liberia</td>
<td>Greece</td>
<td>Chios Navigation (Hellas) Ltd</td>
<td>1-3, Filellinon Street, 185 36 Piraeus, Athens, Greece</td>
<td>Greece</td>
<td>Liberia</td>
<td><a href="mailto:operations@chiosnav.com">operations@chiosnav.com</a></td>
<td></td>
<td>UK P&amp;I Club</td>
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<td>Vessel Name</td>
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<td>Arrival</td>
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<td>Reg. owner address</td>
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<td>Ocean Century</td>
<td>Malta</td>
<td>06/05/2018</td>
<td>Napier/Dunedin/Wellington/Tauranga, New Zealand [Ravensdown Ltd]</td>
<td>16/06/2018</td>
<td>IMO # 9485033 MMSI 248162000 55,848 DWT</td>
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<td>Askia Marine Ltd</td>
<td>Care of FML Ship Management Ltd. Office 601, Ghins Building, 58-60, Digenti Akrita Avenue, 1061 Nicosia, Cyprus</td>
</tr>
<tr>
<td>Desert Osprey</td>
<td>Marshall Islands</td>
<td>08/05/2018</td>
<td>Vancouver, Canada [Nutrien Ltd]</td>
<td>25/06/2018</td>
<td>IMO # 9712955 MMSI 538006212 55,837 DWT</td>
<td>53,000</td>
<td>Lazio Shipping &amp; Investment Ltd</td>
<td>Care of Atlantic Bulk Carriers Management Ltd. 41-43, Akti Miaouli, 185 35 Piraeus, Athens, Greece</td>
</tr>
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<td>Mackenzie</td>
<td>Marshall Islands</td>
<td>17/05/2018</td>
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<td>Jasmine Shipping LLC</td>
<td>Care of Starbulk SA, 40, Agiou Konstantinou Street, Marousi, 151 24 Athens, Greece</td>
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<tr>
<td>Desert Moon</td>
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<td>11/09/2018</td>
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<td>Summer-time Dream</td>
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<td>WP Ambition</td>
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<td>05/09/2018</td>
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<td>Group owner - registered nationality</td>
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<td>Operator - nationality of control</td>
<td>Operator - nationality of registration</td>
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<td>Operator website</td>
<td>P&amp;I Club</td>
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<td>FML Ship Management Ltd</td>
<td>Office 601, Ghinis Building, 58-60, Digeni Akrita Avenue, 1061 Nicosia, Cyprus</td>
<td>Hong Kong</td>
<td>Cyprus</td>
<td><a href="mailto:fleet-cy-tech1@fleetship.com">fleet-cy-tech1@fleetship.com</a></td>
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<td>41-43, Akti Miaouli, 185 35 Piraeus, Athens, Greece</td>
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<td><a href="mailto:atlanticbulk@atlanticbulk.gr">atlanticbulk@atlanticbulk.gr</a></td>
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<td>40, Agiou Konstantinou Street, Marousi, 151 24 Athens, Greece</td>
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<td><a href="mailto:msg@starbulk.com">msg@starbulk.com</a></td>
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<td>Britannia Steam Ship</td>
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<td>Japan</td>
<td>Ultrabulk A/S [Ultrabulk MPP]</td>
<td>Smakkedalen 6, 2820 Gentofte, O, Denmark</td>
<td>Chile</td>
<td>Denmark</td>
<td><a href="mailto:smax.cph@ultrabulk.com">smax.cph@ultrabulk.com</a></td>
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<td>41-43, Akti Miaouli, 185 35 Piraeus, Athens, Greece</td>
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<td>Marshall Islands</td>
<td><a href="mailto:atlanticbulk@atlanticbulk.gr">atlanticbulk@atlanticbulk.gr</a></td>
<td>atlanticbulkcarriers.com</td>
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<td>Greece</td>
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<td>Goldenport Shipmanagement Ltd</td>
<td>41, Athinas Avenue, Vouliagmeni, 166 71 Athens, Greece</td>
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<td>Greece</td>
<td><a href="mailto:contact@goldenport.gr">contact@goldenport.gr</a></td>
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<tr>
<td>Japan</td>
<td>Japan</td>
<td>World Marine Co Ltd</td>
<td>8th Floor, Kanpai Building, 22-27, Higashigotanda 5-chome, Shinagawa-ku, Tokyo, 141-0022, Japan</td>
<td>Japan</td>
<td>Japan</td>
<td><a href="mailto:shipmd@worldm.co.jp">shipmd@worldm.co.jp</a></td>
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<td>Scorpio Carriers Ltd</td>
<td>15-01, Keppel Towers, 10, Hoe Chiang Road, Singapore 089315</td>
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<td>Hong Kong</td>
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<td>Singapore</td>
<td><a href="mailto:info@westship.com.sg">info@westship.com.sg</a></td>
<td><a href="http://www.westernshipping.com">www.westernshipping.com</a></td>
<td>UK P&amp;I Club</td>
</tr>
<tr>
<td>Switzerland</td>
<td>Switzerland</td>
<td>Doris Maritime Services SA</td>
<td>route des Jeunes, 35, 1227 Carouge, Switzerland</td>
<td>Switzerland</td>
<td>Switzerland</td>
<td><a href="mailto:doris@doris.ch">doris@doris.ch</a></td>
<td>doris.ch</td>
<td>The West of England Ship Owners Mutual Insurance Association</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>United Kingdom</td>
<td>Borealis Maritime Ltd</td>
<td>139, Piccadilly, London, W1J 7NU</td>
<td>United Kingdom</td>
<td>United Kingdom</td>
<td><a href="mailto:info@borealismaritime.com">info@borealismaritime.com</a></td>
<td><a href="http://www.borealismaritime.com">www.borealismaritime.com</a></td>
<td>GARD AS</td>
</tr>
<tr>
<td>South Korea</td>
<td>South Korea</td>
<td>Korea Ship Finance Co Ltd</td>
<td>1st Floor, Bubang Building, 15-1, Samseong-dong, Gangnam-gu, Seoul, South Korea</td>
<td>South Korea</td>
<td>South Korea</td>
<td><a href="mailto:jhkwon@koreashipfinance.com">jhkwon@koreashipfinance.com</a></td>
<td><a href="http://www.koreashipfinance.com">www.koreashipfinance.com</a></td>
<td>Japan Ship Owners Mutual P&amp;I</td>
</tr>
<tr>
<td>№</td>
<td>Vessel Name</td>
<td>Flag</td>
<td>Departure from Western Sahara</td>
<td>Destination (Importer)</td>
<td>Arrival</td>
<td>Vessel Details</td>
<td>Reg. owner</td>
<td>Reg. owner address</td>
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<td>24</td>
<td>Amoy Action</td>
<td>Hong Kong</td>
<td>05/10/2018</td>
<td>Paradip, India [Paradeep Phosphates Ltd] and Lianyungang, China [Sinofert Holdings Ltd]</td>
<td>03/11/2018</td>
<td>IMO # 9583627 54000 MMSI 477903500 56.875 DWT</td>
<td>Action Maritime Ltd</td>
<td>Care of Amoy Sailing Maritime Co Ltd, 26H, 99, Lujiang Dao, Siming Qu, Xiamen, Fujian, 361001, China</td>
</tr>
<tr>
<td>25</td>
<td>Ocean Adore</td>
<td>Hong Kong</td>
<td>07/10/2018</td>
<td>Tauranga/Invercargill/Napier, New Zealand [Ravensdown Ltd.]</td>
<td>25/11/2018</td>
<td>IMO # 9740122 60000 MMSI 477131800 63.647 DWT</td>
<td>Ocean Adore Shipping Ltd</td>
<td>Care of Huayang (Hong Kong) Shipping Ltd, Room 12, Block 2, 23rd Floor, Lippo Centre, 69, Queensway, Central, Hong Kong, China</td>
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<tr>
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<td>Trade Resource</td>
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<td>19/10/2018</td>
<td>Lianyungang, China [Sinofert Holdings Ltd]</td>
<td>28/11/2018</td>
<td>IMO # 96933410 79000 MMSI 6360118913 82.031 DWT</td>
<td>Acratio Shipping Inc</td>
<td>Care of Marmaras Navigation Ltd, 58B, Zefyrou Street, Palaio Faliro 175 64 Athens, Greece</td>
</tr>
<tr>
<td>27</td>
<td>Triton Valk</td>
<td>Panama</td>
<td>21/10/2018</td>
<td>Napier, New Zealand [Ravensdown Ltd.]</td>
<td>29/11/2018</td>
<td>IMO # 9409077 53000 MMSI 3568290000 55.651 DWT</td>
<td>Triton Navigation BV</td>
<td>Strawinskylaan 901:1077 XX Amsterdam, Netherlands</td>
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<tr>
<td>28</td>
<td>Ultra Innovation</td>
<td>Panama</td>
<td>24/10/2018</td>
<td>Vancouver, Canada [Nutrien Ltd.]</td>
<td>04/12/2018</td>
<td>IMO # 9767481 59000 MMSI 3744883000 61.188 DWT</td>
<td>La Darien Navegacion SA</td>
<td>Care of Shoeki Kisen Kaisha Ltd (Shoei Kisen Co Ltd), 4-52, Kora-cho 1-chome, Imabari-shi, Ehime-ken, 799-211, Japan</td>
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<td>29</td>
<td>Ultra Excellence</td>
<td>Panama</td>
<td>02/11/2018</td>
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<td>23/12/2018</td>
<td>IMO # 9767493 59000 MMSI 3532720000 61.214 DWT</td>
<td>San Clemente Shipping SA &amp; Tokyo Sangyo Kaisha Ltd</td>
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<td>30</td>
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<td>Marshall Islands</td>
<td>08/12/2018</td>
<td>Paradip, India [Paradeep Phosphates Ltd]</td>
<td>11/01/2019</td>
<td>IMO # 9525252 54000 MMSI 538004096 56.836 DWT</td>
<td>SFL Hudson Inc</td>
<td>Care of Bernhard Schulte Shipmanagement (Singapore) Pte Ltd, 08-00, Bernhard Schulte House, 108, Middle Road, Singapore 188967</td>
</tr>
<tr>
<td>31</td>
<td>SBI Jaguar</td>
<td>Marshall Islands</td>
<td>18/11/2018</td>
<td>Visakhapatnam, India [Coromandel Ltd] and Paradip, India [Paradeep Phosphates Ltd]</td>
<td>16/01/2019</td>
<td>IMO # 9700055 62000 MMSI 5380077999 63.514 DWT</td>
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<td>Care of Scorpio Commercial Management SAM, Le Mille-nium 9, boulevard Charles III, 98000 Monaco-Ville, Monaco</td>
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<td>Care of Genco Shipline Management LLC, 20th Floor, 299, Park Avenue, New York NY 10171-0002, USA</td>
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<td>Vancouver, Canada [Nutrien Ltd.]</td>
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<td>Zeyno Maritime Ltd</td>
<td>Care of GSD Denizcilik Gyaýrimenkul Insaat Sanayi ve Ticaret AS, Kaptan Rifat Sokak 3, Aydiner Mah, Maltepe, 34854 Istanbul, Turkey</td>
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<td>Harrier</td>
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“The Court’s conclusion is that the materials and information presented to it do not establish any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco or the Mauritanian entity. Thus the Court has not found legal ties of such a nature as might affect the application of General Assembly resolution 1514 (XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the Territory.”

International Court of Justice, 16 Oct 1975