

To: Gümüşdoğa A.S.

9 November 2019, Athens

Regarding Gümüşdoğa A.S. and imports from occupied Western Sahara

We are privileged to write to you. We are writing to you as we have observed that your company imports fishmeal from Western Sahara.

There are several ethical dilemmas involved in purchasing such products from this particular territory, as the people of Western Sahara have neither given their permission to the fisheries off the territory, nor to the production or exports of meal in/from Western Sahara. The trade with these products is taking place in direct violation of the rights of the people of Western Sahara, and thus their human rights.

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 (CJEU) has outlined, in three separate rulings, that the Government of Morocco does not have any legal basis, sovereignty or international mandate to administer the territory. The recent CJEU rulings 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.

On this basis, we would be grateful if you could provide an answer to the following questions from our association:

1. What volume of fishmeal has your company imported annually from occupied Western Sahara during the last three years?
2. What is the value of these imports for these three years?
3. 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 has Gümüşdoğa A.S. taken to obtain the consent of the people of Western Sahara through their political representation, the Polisario Front, for the purchase of these resources?
4. How has Gümüşdoğa A.S. assessed the ethical and legal risks involved in operating and developing infrastructure on occupied land?
5. Considering that Morocco's claims to Western Sahara are rejected by the ICJ, the CJEU and the United Nations, how does Gümüşdoğa A.S. consider the legal value of the phytosanitary inspections undertaken by Morocco in Western Sahara?

We are convinced that it is not in the interest of Gümüşdoğa A.S. nor of its product line to become associated with the continued colonization and occupation of Western Sahara, and respectfully ask your company to find another supplier of fishmeal, located in a territory that is not under foreign military occupation.

Looking forward to hearing from you.

Sincerely

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