

Brussels, 30 May 2013

To the attention of Mr Hans Petter Fønnes
Chairman, Fønnes Shipping AS
P.O. Box 3
5953 Fønnes
Norway

Dear Mr. Fønnes

Western Sahara Resource Watch is writing you regarding the shipment of M/V Fensfjord (IMO 9268887) from occupied Western Sahara, and the statements you gave to the newspaper Strilen today, 30 May 2013. <http://vest-sahara.no/a49x1933>

You state that your company is not doing anything unlawful by carrying out shipments from Western Sahara, and that you do not consider to be operating in contradiction of the recommendation from the Norwegian government. To that we can comment that the Ministry of Foreign Affairs in June 2007, in relation to the transports carried out by the shipping company Gearbulk, stated to Bergens Tidende that “due to the occupation the Ministry of Foreign Affairs urges all Norwegian companies not to do trade with Western Sahara”.

As you will know, a large area of Western Sahara has been illegally occupied by Morocco since 1975. The United Nations consider Western Sahara to be a Non-Self Governing Territory pending the process of decolonisation, without a *de jure* administering power. The International Court of Justice in a 1975 Advisory Opinion concluded that there are no ties between Morocco and Western Sahara, and that the Saharawi people have a right to freely determine the future status of their territory through a referendum. That right to self-determination has been confirmed in over 100 UN Resolutions, but discarded by Morocco, the occupying power. No country in the world, including the Netherlands and Norway - recognise Morocco's untenable claim over Western Sahara.

Both the Dutch and the Norwegian governments ask their companies to abstain from carrying out business in Western Sahara.

Meanwhile, Morocco continues to trample the most basic human rights of Saharawi that live under the yoke of the occupation. Approximately 160.000 Saharawi refugees that fled during the war continue to live in inhumane conditions in Algerian refugee camps, located in the most inhospitable part of the Saharan desert.

In 2002, the UN Under-Secretary General for Legal Affairs stated that carrying out economic activities in Western Sahara is considered in violation of international law, unless undertaken in accordance with the wishes and the interests of the Saharawi people. International humanitarian law also applies in the

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Western Sahara Resource Watch works to raise awareness of the illegal occupation of Western Sahara and to support the recognition of the Saharawi people's right to self-determination.

occupied territory; prohibiting as a matter of the Rome Statute of the International Criminal Court acts which assist the pillage of the territory's public property, including natural resources.

It is our opinion that such transports contribute to undermine the UN peace process and the rights of the Saharawi people. We are convinced it is not in your company's best interest to be associated with such practices.

Through the years, we have contacted many companies active in occupied Western Sahara, including both ship owners and chartering companies commissioned to transport resources taken illegally from Western Sahara. After being made aware of the problematic situation, many of them have made a clear commitment never to repeat such controversial shipments, while the status of the territory remains unresolved. We encourage you to do the same.

We thank you for your consideration and look forward to your reply. We remain at your disposal should you require any further information.

With our best regards,

Sara Eyckmans
Coordinator
Western Sahara Resource Watch

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