Statement and questions from WSRW to the Managing Board of Siemens Energy at the AGM on 07 February 2023

My name is Alida Koos and I am speaking today on behalf of Western Sahara Resource Watch.

"We were all shocked. A brutally waged war of aggression broke out, waged with the methods of the 20th century. Today is day 17631 of this terrible war. Already today it is 17631 days too many. Our solidarity and support is with the Sahraui and Sahrauia."

These could have been the words of Joe Kaeser at the opening of the meeting this morning. However, he was talking about Ukraine, only Ukraine. He was talking about the "Russian war of aggression," about solidarity with the people of Ukraine. And in fact, Siemens Energy has recently, as announced earlier by Mr. Bruch, shut down its entire Russian business. Why? It does not seem to have been entirely of its own free will.

We remember: shortly after Russia annexed Crimea in 2014 in violation of international law, Mr. Kaeser, in his capacity as CEO of Siemens AG, traveled to Russia in order to talk with Putin about further cooperation. Then at some point also Siemens gas turbines appeared on Crimea. This caused a massive outcry. The reason for this: Putin was able to chalk both up as successes. Both were seen as support for the Russian occupation. After all, economic cooperation with an occupying power in occupied territory supports the occupation! The fact that Siemens Energy ultimately shied away from a reputational risk and did not withdraw from Russia for ethical reasons, can be easily demonstrated by a very similar case.

Western Sahara has been occupied by the Kingdom of Morocco since the 17631 days already mentioned, that is 48 years, 3 months and 7 days. It was militarily conquered and annexed in 1975 with brutal methods. Until today the people of Western Sahara are exposed to massive human rights violations or are displaced to a large extent. War continues to reign. In order to change the population structure the occupying power is pursuing a settlement policy. According to the Research services of the Bundestag, this constitutes a war crime. Under international law, the matter is clear, as international courts have confirmed on several occasions. The European Court of Justice has even ruled on several occasions that economic agreements that include Western Sahara may not be negotiated with Morocco.

So if it were a matter of moral considerations based on fundamental principles of international law, Siemens Energy would have withdrawn from the Western Sahara business just as from Russia. But what is the reality? Apparently, it is simply more profitable for Siemens Energy to continue to support the violation of international law. For over 10 years, Siemens Energy, or formerly Siemens AG, has been supporting the occupation of Western Sahara by collaborating with the occupying power, worse: Siemens Energy works hand in hand with a private company of the Moroccan king, that is, with the despot who is politically responsible for the breach of international law. Among other things, Siemens wind farms supply the electricity for the exploitation of the phosphate reserves by the occupying power. For more than 10 years, Siemens has also been made aware of the fatal consequences of its business. What appears to be self-evident with regard to Ukraine, is denied by the corporation with regard to the Western Sahara: For more than 10 years, it has been claimed that its business dealings with the occupying power have no political dimension and are exempt from the principles of international law!
We do not even want to list how often Mr. Kaeser and his successors have denied responsibility. Unfortunately, it is no longer possible to hide behind the subsidiary company any longer. Siemens Gamesa, which is active in the Western Sahara, has now been completely taken over. It's time for the board to finally provide answers.

We would like to know:

1) How do you justify your diametrically opposed business strategy regarding Western Sahara occupied by Morocco compared to Ukraine occupied by Russia?

2) Why do you not consider it necessary to obtain a permit from the UN-recognized representative of Western Sahara, Frente Polisario, for your projects, as EU jurisprudence suggests?

3) To what extent does the conclusion of an agreement with the Moroccan government in partnership with a company owned by the Moroccan king for infrastructure projects in Western Sahara does not constitute a tacit recognition of the Moroccan claim to the territory?

4) Regarding a legal opinion which, according to Siemens Energy, allegedly confirms the legality of Siemens Gamesa's activities in the Western Sahara: Who authored this opinion, what is its legal basis and why is it not published?

5) In January 2023, the Moroccan energy authority ONEE announced that the 300 MW Boujdour wind farm, which consists of 87 SG 3,464 turbines, will be commissioned in the first quarter of 2023.
   a. Has the Boujdour wind farm been commissioned as planned?
   b. Is there a maintenance contract for the Boujdour park? When does it expire?
   c. What is the schedule for the Tiskrad wind farm, which is also part of the integrated wind energy program?
   d. Who will be the end users of the energy generated by the parks?

6) For which other wind farms in Western Sahara are there contractual obligations regarding the maintenance of the turbines?

7) Are there plans to participate in other wind farms in Western Sahara?

Due to the aforementioned ethical and international legal concerns, we recommend that all shareholders not to approve the actions of the Executive Board.