Reederei Zürich AG  
Rämistrasse 6  
8001 Zürich

Basel, 5. Oktober 2021

Reederei Zürich’s involvement in the transportation of phosphate rock from occupied Western Sahara

Dear Sir, Madam

terre des hommes schweiz is privileged to present you with our compliments. We are writing with regard to Reederei Zürich AG’s role in relation to a shipment of phosphate rock from occupied Western Sahara. The shipment in question was on board of the vessel Genava (IMO 97312), departing El Aaiún 4th September, heading to Mobjack Bay Virginia, but then apparently changed its destination to Mexico.

This shipment and your company is mentioned by Western Sahara Resource Watch (WSRW), which is also publishing annual reports “P for Plunder” about the illegal exploitation of phosphate in occupied Western Sahara (https://wsrw.org/en/news/innophos-importing-heavily-from-occupied-western-sahara).

terre des hommes schweiz is a ZEWO certified organisation in development corporation based in Basel, Switzerland. We have been supporting projects for youth for 60 years. Currently we are active in five countries each in Latin-American and Africa, amongst others we have been supporting projects in Sahrawi refugee camps in Algeria (Tindouf) for decencies.

The United Nations consider Western Sahara to be a Non-Self-Governing Territory without an administering power in place. As stipulated by the International Court of Justice, and repeated in five consecutive rulings by the European Court of Justice, Morocco has no sovereignty over or international mandate to administer the territory. Last week, 29th October, the ECJ again issued a confirmative ruling which created a lot of attention internationally. Nevertheless, Morocco continues to militarily control three-quarters of the territory, including the Bou Craa phosphate mines which are operated by Phosboucraa, a subsidiary of the Moroccan state-owned company Office Chérifien des Phosphates, OCP SA.

Incentivized by its exploitation of the territory’s resources, Morocco has little interest to genuinely take part in the UN-mediated peace process. Meanwhile, the lingering conflict continues to have a high human and humanitarian cost: over 170,000 Saharawis are stuck in refugee camps in neighbouring Algeria, surviving in harsh desert conditions and dwindling humanitarian aid. Saharawis who live under the yoke of Morocco’s
Not only is this a matter of international law and ethics, but also of real financial risk for the involved companies. On 1 May 2017, the bulk vessel NM Cherry Blossom, containing a cargo of 54,000 tonnes of Western Sahara phosphate rock was detained in the port of Port Elizabeth, South Africa, while the vessel was on its way to New Zealand. In February 2018, the South African High Court ruled that the Saharawi Republic, 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 Phosboucraa, who were not entitled to sell the phosphate rock. From what WSRW has obtained from court records, the charterer alleges that the costs of the vessel’s detention amount to US $10.300 per day, for the year the ship was detained.

Several international shipping companies have made sure to avoid transporting products from the occupied territory.

In view of the above, could you please clarify the following:

1. Did your company seek the consent of the representation of the people of Western Sahara prior to undertaking the transport?
2. Does your company currently have plans or contracts for future transport of phosphate rock from Western Sahara?
3. Will your company introduce measures to avoid taking part in similar transports from Western Sahara in the future?

We are convinced that it is not in the interest of your company to be associated with the exports of natural resources from Western Sahara. Accordingly, we ask your company to refrain from undertaking such shipments again in the future.

Sincerely,

Sylvia Valentin, Development politics
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CC: Western Sahara Resource Watch, coordinator@wsrw.org