

Dr. Uwe Lauber  
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Brussels  
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**Regarding MAN Diesel & Turbo's engagement vis-à-vis electrification of occupied Western Sahara**

Dear Mr Lauber,

Western Sahara Resource Watch (WSRW) is writing to you following an announcement by Morocco's National Office for Electricity and Water (ONEE) that MAN Diesel & Turbo SE has been awarded the design, supply, engineering, transport, assembly, testing and commissioning of four diesel generators of a combined power of 72 MW in El Aaiun.

However, El Aaiun is not located in Morocco, but in the area of Western Sahara that Morocco has illegally invaded in 1975, and to date holds under military occupation. Western Sahara is regarded by the United Nations as a Non-Self Governing Territory which still awaits decolonization, and one without a legally accepted administering power in place. No State in the world, including Germany, recognizes Morocco's self-proclaimed sovereignty over Western Sahara. The people of Western Sahara, the Saharawi, have been accorded the right to self-determination – a right affirmed by the International Court of Justice and restated in now more than 100 UN Resolutions, but the exercise of which is continuously being blocked by Morocco.

The protracted nature of the conflict comes at a terribly high human cost. Approximately 160,000 Saharawi refugees that fled their homeland during the war continue to live in inhumane conditions in the most inhospitable part of the Algerian desert. One in 5 children suffers malnutrition and stunted growth, according to recent studies of the UN High Commissioner for Refugees and the World Food Programme. Meanwhile, Morocco continues to trample the most basic human rights of the Saharawi that live under the yoke of its occupation. The Moroccan government's horrific human rights abuses in Western Sahara are well documented by NGOs such as Amnesty International and Robert F. Kennedy Centre, and also by the UN High Commissioner for Human Rights, UN Special Rapporteur on Torture and the US State Department.

But while the UN tries to broker a peaceful solution to the conflict, Morocco has been consistently blocking any advancement in the peace process. One of its tactics that severely undermines the much needed good faith between the parties, is financially gaining from the economic development of the territory, in violation of international humanitarian law.

A United Nations' Legal Opinion on hydrocarbon exploration activities in Western Sahara, written for the Security Council in 2002, has since been applied by governments and scholars for understanding the legality of other commercial activities in the territory. The Opinion concludes that any activity must be in accordance with the wishes and to the benefit of the Saharawi people. This means that the Saharawi people must be consulted, consent to, and subsequently benefit from, any commercial and export activity in respect of Western Sahara's abundant natural resources.

The electrification of Western Sahara is advancing or entrenching Morocco's illegal occupation of the territory. Though Saharawis in Western Sahara also need the generated electricity for civilian life-sustaining purposes, it will mostly be used by the Moroccan administration, army and settlers, and for plunder of the territory's rich natural resources.

As it stands, MAN will provide the Moroccan government support for its colonization program in occupied Western Sahara, which only serves to prolong the conflict and hinder a long-lasting, just and peacefully negotiated solution. Furthermore, it undermines an ever more fragile truce in the territory. Saharawis are increasingly frustrated over the stalled peace talks, while Morocco is allowed to advance its presence in the territory by creating facts on the ground. The calls to resume war are growing louder with each passing momentum to reach a solution.

Your company is at risk of engaging in a partnership that is politically controversial, since it supports Morocco's unfounded claim over Western Sahara. But one that is also contributing to undermining and violating international law, and is, most importantly, deeply unethical, since it contributes to the continued suffering of the oppressed Saharawi people.

Accordingly, our organization would be thankful for an answer to the following questions.

1. Is the information provided by ONEE correct, mentioning that MAN Diesel & Turbo will be responsible for the extension of the existing diesel plant with four additional diesel generators that have a combined power of 72 MW?
2. Is MAN Diesel & Turbo aware that the project is to be carried out outside of Morocco's internationally recognized borders and inside the territory of Western Sahara?
3. If so, how has MAN Diesel & Turbo assured itself of the consent of the Saharawi people through their representative body, the Frente Polisario?
4. How does MAN Diesel & Turbo assess the act of constructing infrastructure on occupied land in view of its position on corporate responsibility?

MAN Diesel & Turbo can do without the association to Morocco's occupation of Western Sahara. Such a partnership is highly unfortunate in view of conflict resolution. We call upon MAN to immediately reconsider its engagement and abstain from installing the equipment in the occupied territory.

Best regards,

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*A copy of this letter has been sent to:*

- HE Christopher Ross, UN Secretary General's Personal Envoy for Western Sahara
- HE Kim Bolduc, Special Representative of the Secretary-General and Head of United Nations Mission for Referendum in Western Sahara